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# **RAJASTHAN RULES COMPENDIUM**

( IN 16 VOLUMES )  
( 1949 TO 1967 )

*By*  
**VYAS & BAFNA**



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# INDEX

## RAJASTHAN RULES COMPENDIUM

( 1949 to 1967 )

VOLUME XII

### P

152. Panchayat Act 1953, The Raj. (21 of 1953)
  - (i) The Raj Panchayat (General) Rules, 1954
  - (ii) The Raj. Panchayat Election Rules, 1954
  - (iii) The Raj. Panchayat (Tax on Industries) Rules, 1956
  - (iv) The Rajasthan Panchayat and Nyaya Panchayat Election Rules, 1960.
  - (v) The Rajasthan Panchayat and Nyaya-Panchayat ( General ) Rules, 1961.
  - (vi) Notification.
153. Panchayat (Amendment) Act 1960. The Raj. (Act No. 25 of 1960).
  - (i) Notification under Raj. Panchayat (Amendment) Act, 1960
154. Raj. Panchayat Laws (Amendment) Act, 1964.
  - (i) Notification.
155. Rajasthan Panchayat Samitis & Zila Parishads Act, 1959. (Act No. 37 of 1959).
  1. The Rajasthan Panchayat Samitis (Co-option of Members) Rules, 1959. ....
  2. The Rajasthan Panchayat Samitis and Zila Parishads (Election of Up-Pradhan an Up-Pramukh) Rules, 1959 ....
  3. The Rajasthan Panchayat Samitis and Zila Parishads (Election Petition) Rules, 1959. ....
  4. The Rajasthan Panchayat Samitis & Zila Parishads (Election of Members of Standing Committee) Rules, 1959. ....
  5. The Rajasthan Panchayat Samitis and Zila Parishads (Co-option of Members of Standing Committee) Rules, 1959. ....
  6. The Rajasthan Panchayat Samitis and Zila Parishads (Election of Chairman of Standing Committee) Rules, 1959. ....
  7. The Rajasthan Panchayat Samitis and Zila Parishads (Election of Temporary Pradhan) Rules, 1959. ....
  8. The Rajasthan Zila Parishads (Election of Temporary Pramukh) Rules, 1959. ....

9. The Rajasthan Zila Parishads (Co-option of Members) Rules, 1959. ....
10. The Rajasthan Panchayat Samitis and Zila Parishads (Financial, Accounts and Budget) Rules, 1959. ....
11. The Rajasthan Panchayat Samitis (Conduct of Business of Standing Committees) Rules, 1959. ....
12. The Rajasthan Panchayat Samitis and Zila Parishads (Administration Report) Rules, 1959. ....
13. The Rajasthan Panchayat Samitis and Zila Parishads (Class IV Service) Rules, 1959. ....
14. The Rajasthan Panchayat Samitis (Terms and Conditions of Deputation of Vikas Adhikaris, Extension Officers and Other Officers) Rules, 1959. ....
15. The Rajasthan Panchayat Samitis and Zila Parishads (Contributory Provident Fund) Rules, 1959. ....
16. The Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959. ....
17. The Rajasthan Panchayat Samitis and Zila Parishads (Adaptations and Temporary Provisions) Order, 1959. ....
18. The Rajasthan Panchayat Samitis and Zila Parishads (Removal of Difficulties) Order, 1959. ....
19. The Rajasthan Panchayat Samitis and Zila Parishads (Adaptations) Order, 1959. ....
20. The Rajasthan Panchayat Samitis and Zila Parishads (Removal of Difficulties) Second Order, 1959. ....
21. The Rajasthan Panchayat Samitis and Zila Parishads (Removal of Pradhan and Up-Pradhan) Rules, 1960. ....
22. The Rajasthan Panchayat Samitis (Loans) Rules, 1960. ....
23. The Rajasthan Panchayat Samitis (Taxation) Rules, 1960. ....
24. The Rajasthan Panchayat Samitis and Zila Parishads (Conduct of Business) Rules, 1960. ....
25. The Rajasthan Panchayat Samitis (Administrative Powers) Rules, 1960. ....
26. The Rajasthan Zila Parishads (Conduct of Business of Sub-Committees) Rules, 1960. ....
27. The Rajasthan Panchayat Samitis (Jurisdiction Over Municipal Areas) Rules, 1960. ....
28. The Rajasthan Panchayat Samitis and Zila Parishads (Preparation of Confidential Reports of Vikas Adhikaris & Secretaries) Rules, 1960. ....
29. The Rajasthan Panchayat Samitis and Zila Parishads (Selection Commission Conditions of Service) Rules, 1960. ....

30. The Rajasthan Panchayat Samitis and Zila Parishads (Removal of Difficulties) Order, 1960. ....
31. The Rajasthan Panchayat Samitis and Zila Parishad (Motion of No Confidence in Pradhan, Up-Pradhan, Pramukh 'or (Up-Pramukh) Rules, 1961. ....
32. The Rajasthan Panchayat Samitis (Payment of Allowance to Members Rules, 1961). ...
33. The Rajasthan Zila Parishads (Payment of Allowance to Members Rules, 1961. ....
34. The Rajasthan Panchayat Samitis and Zila Parishads (Declaration of Krishi Nipun) Rules, 1961. ....
35. The Rajasthan Panchayat Samitis and Zila Parishads (District Establishment Committee) Rules, 1961. ....
36. The Rajasthan Panchayat Samitis and Zila Parishads Service (Punishment and Appeal) Rules, 1961. ....
37. The Rajasthan Panchayat Samitis and Zila Parishads (Retirement of Members of Standing Committee) Rules, 1962. ....
38. The Rajasthan Panchayat Samitis (Appointment of Counsel) Rules, 1962. ....
39. The Rajasthan Panchayat Samitis and Zila Parishads Service (Revised Pay Scales) Rules, 1962. ....
40. The Rajasthan Panchayat Samitis (Use of Vehicles) Rules, 1963.
41. The Rajasthan Panchayat Samitis & Zila Parishads (Grant of Copies of Records) Rules, 1963. ....
42. The Rajasthan Panchayat Samitis (Election of Members from Gram Sabhas) Rules, 1964. ....
43. The Rajasthan Panchayat Samitis and Zila Parishads (Election of Pradhan and Pramukh) Rules, 1964. ....
44. The Rajasthan Zila Parishad (Vacation of Office of Pramukh) Rules, 1965. ....
45. The Rajasthan Panchayat Samitis (Election of Associate Members) Rules, 1965. ....
46. Rules for Grant in aid to Persons Belonging to Schedule Tribes etc. ....
47. Rules for Grant of Relief in cases of Natural Calamities by Zila Parishads & Panchayat Samitis. ....
48. Notifications. ....

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*Rules and Notifications under*  
**Raj. PANCHAYAT ACT, 1953.**

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# THE RAJASTHAN Panchayat (General) Rules, 1954.

Local Self-Government Department

## NOTIFICATION

Jaipur, December 16, 1954.

No. F.1(a)(36)/L.S.G./54.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act No. XXI of 1953) the Government of Rajasthan is hereby pleased to make the following rules; namely :—

### Notes.

Sub-section (1) of section 89 of the Rajasthan Panchayat Act, 1953 authorises the State Government to make rules for carrying out the purposes of the Act. Sub-section (2) of section 89 requires the State Government to frame rules providing for—

(i) any matter for which power to make provisions is conferred expressly or by implication on the Government by this Act;

(ii) the establishment of Panchayats;

(iii) the time and place of meetings of Panchayats and Tehsil Panchayats, the manner of convening such meetings and giving notice thereof;

(iv) the conduct of proceedings including the asking of questions by Panchas at meetings and the adjournment of meetings and also minute books of meetings;

(v) the suspension and removal of office bearers;

(vi) the records and registers that shall be kept and maintained by Panchayats and Tehsil Panchayats and the forms in which they are to be so kept and maintained;

(vii) the action to be taken on the occurrence of a vacancy in a Panchayat or a Tehsil Panchayat;

(viii) the amount and nature of security to be furnished by a servant of Panchayat from whom it is deemed expedient to require security;

(ix) appointment, qualifications, dismissal, discharge, removal and punishment of the officers and servants of Panchayats and Tehsil Panchayats and their right of appeal;

(x) management and regulation of provident fund for the servants of Panchayats and Tehsil Panchayats, if the system of provident fund is adopted;

(xi) the establishment, maintenance, administration and control of libraries, reading rooms, primary schools, and Ayurvedic and Unani hospitals and dispensaries, the construction and repair of buildings connected therewith and the supply of medicines and medical assistance to the inhabitants of the local area of a Panchayat,

(xii) the discovery, removal and destruction of water hyacinth on any land premises or water, the construction of fences and barriers for checking its movements and the cost, incurred in carrying out such works;

(xiii) action in regard to sanitation, conservancy, drainage, buildings public streets and water supply and the prohibition of public nuisance;

(xiv) the framing of budgets and earmarking funds for specific purposes;

(xv) the returns to be submitted by Panchayats, the form in which they are to be, the authorities to which, and the time when they shall be, submitted;

(xvi) the levy of taxes and licence fees, the authority by which and the manner in which taxes may be assessed, and the authority to which an appeal from an assessment order may be made;

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*These rules has been first Published in Raj. Raj-patra Dated January 15, 1955  
part IV (c) at page 735.*

(xvii) the method and time of payment of taxes and other dues, the procedure of recovery and the authority whose assistance may be taken by Panchayats in the recovery of taxes and dues;

(xviii) the method of account keeping by Panchayats;

(xix) the maintenance of public buildings and nazul land;

(xx) the formalities to be observed when transferring any property and the manner in which a deed of contract may be executed by a Panchayat;

(xxi) the powers of auditors and inspecting and superintending authorities to hold inquiries, summoning and examining witnesses, compelling the production of documents and all other matters connected with audit, inspection and superintendence;

(xxii) the issue and service or execution of summons, notices, and other processes of Panchayats;

(xxiii) the transfer by a Panchayat of summons and other processes to another Panchayat or any court for service or execution;

(xxiv) the fees to be levied by Panchayats for institution of suits and cases, for issue of processes, for obtaining copies of documents and other matters;

(xxv) the procedure for execution of decrees, orders and sentences passed by Panchayats;

(xxvi) the allotment by Panchayats of funds for the performance by Tehsil Panchayats of their duties under this Act and the extent to which fees paid to Tehsil Panchayats may be appropriated by Panchayats;

(xxvii) the powers that may be exercised by a District Board or the Chief Panchayat Officer in the discharge of their duties and obligations under this Act and the manner in which such powers may be exercised;

(xxviii) the procedure to be observed in the making of bye-laws by the Chief Panchayat Officer or by Panchayats;

(xxix) the printing of the prescribed forms and registers;

(xxx) the submission for approval of plans designs and specifications;

(xxxi) the duties, powers and functions of village volunteer force;

(xxxii) the submission of annual reports by Panchayats and their review;

(xxxiii) the persons, other than the Sarpanchas and the Panchas of the Panchayats or Tehsil Panchayats, who may be present in an advisory capacity in meetings thereof;

(xxxiv) the channel of correspondence between a Panchayat and other authorities;

(xxxv) the disposal of assets and liabilities of a Panchayat on its abolition;

(xxxvi) the action to be taken on the inclusion of the whole or part of the local area of any Panchayat in any Municipality or in other Panchayat Circle and the manner in which the assets and liabilities of a Panchayat may be disposed of in such circumstances;

(xxxvii) the conditions subject to which sums due to a Panchayat may be written off as irrecoverable and the conditions subject to which the whole or any part of a fee may be remitted;

(xxxviii) the regulation of election or nomination of the Sarpanch, and Panchas of Panchayats and Tehsil Panchayats;

(xxxix) any matter which is required by this Act to be prescribed; and

(xl) generally for the guidance of the Panchayats and Tehsil Panchayats and of servants and authorities of the Government in any matter connected with the carrying out of the provisions of the Act,

#### PRELIMINARY

1. These rules may be called the Rajasthan Panchayat (General) Rules, 1954 and shall come into force on the date of their publication in the Rajasthan Gazette.

2. In these rules, unless there is anything repugnant in the subject or context—

(a) "Form" means a form appended to these rules; and

(b) words or expressions not defined in these rules and defined in the Rajasthan Panchayat Act, 1953 (Rajasthan Act No. XXI of 1953 in these rules referred to as "the Act"), shall bear the meanings respectively assigned to them in the Act.

*II Rule regulating the procedure to be followed in passing no confidence motion against Sarpanch or Panch under Section 19.*

*Notes*

This rule has been framed as required under sub-section (1) of section 19 of the Act which provides that:—

(1) A motion of no-confidence may be moved by any Panch after giving such notice as may be prescribed against the Sarpanch and Upsarpanch.

3. (1) Any Panch of Panchayat who desires to move a motion of no confidence against the Sarpanch or Upsarpanch shall send a notice of such motion in writing to the office of the Panchayat at least 8 clear days before moving it. A meeting shall be convened for the consideration of the motion within a period of 15 days from the date of receipt of the notice if within that period an ordinary meeting of the Panchayat at which the motion can be considered is not due.

(2) The decision of the Panchayat on the no confidence motion shall be conveyed to the Divisional Panchayat Officer within three days.

*III Rule regarding the conduct of business of Panchayats under section 21.*

*Notes*

This rule has been framed in pursuance of sub-section (1) of section 21 which reads as under :—

(1) A Panchayat shall, in the transaction of its business, follow such procedure as may be prescribed by this Act or the rules made thereunder.

4. (1) The meetings of the Panchayat shall ordinarily be held at the Panchayat house, Patwarkhana, kotdi or some other public place. In special cases meetings may be held at any other appropriate place.

(2) The date, time and place of every meeting shall be communicated to the members of the Panchayat at least 48 hours before the meeting.

(3) If due to some special reason, a change, in the appointed time, place and date is to be made, its notice shall again be published as above and the members will be informed by written notice.

(4) The members will be informed separately in connection with any special meeting and the notice shall mention what business is to be transacted at the meeting.

(5) The Panchayat shall keep a brief record of its meetings and proceedings in a register in Form No. 1 and the attendance of the members will also be entered in that register.

(6) Any member of a Panchayat who desires to bring forward any resolution at any meeting of the Panchayat, shall give notice of



his intention to do so at the previous meeting or shall atleast four days before the meeting, inform the Sarpanch or, in his absence, the Upsarpanch, provided that the Sarpanch of the meeting may, in his discretion permit the discussion of a resolution or transaction of any business for which no previous notice has been given, but which is, in his opinion of an emergent nature calling for immediate discussion.

(7) The Sarpanch of a Panchayat may disallow the moving or discussion of any resolution or proposition which he considers to be beyond the scope of the Panchayat and in doing so, he shall record his reasons in writing.

(8) No member may, without the permission of the Sarpanch speak for the second time on any motion or amendment. The proposer may however speak by way of reply.

(9) For the discharge of its administrative functions, the Panchayat may form a committee consisting of not less than three and not more than five members including the Chairman. They shall hold office for one year, but a member of such committee shall vacate the office when he ceases to be member of the Panchayat. Three members shall form a quorum for a committee meeting.

(10) Any member may be a member of more than one Committee.

(11) The Chairman of a committee shall be appointed by the Panchayat from amongst the members of the committee, provided that, if a Sarpanch or a Upsarpanch is a member of the committee, he shall be automatically Chairman of the Committee. The decision of every question, introduced before the committee shall be decided by a majority of vote of the members, present. The Chairman shall have a second vote in case of equality of votes. If, when a meeting is held, the Chairman is abesent, the members present shall elect one of their members to be Chairman of the meeting.

(12) The committee shall exercise such powers as may be delegated to it by the Panchayat and shall be subject to the general control of the Panchayat.

(13) Proceedings of such committee shall be read before a meeting of the Panchayat which may confirm or alter any decision of the committee.

(14) An order book in Form No. 2 shall be maintained by every Panchayat.

#### *IV Rule regarding appointment of secretary and other staff under section 23.*

##### *Notes.*

Section 23 of the Act provides that—

Every Panchayat may, with the previous approval of the Chief Panchayat Officer, appoint a Secretary and such other staff as may be necessary for carrying out the duties imposed on it by or under this Act on such conditions of service as may be prescribed:

Provided that the approval of the Chief Panchayat Officer shall not be necessary for any part-time appointment made on conditions less favourable than the prescribed conditions of service.

5. (1) No person shall be employed as a Secretary, permanent, temporary, or part time clerk, or peon or Watchman, if—

(a) he is not of good character;

(b) he has been dismissed for misconduct from its own service or from that of any other Gram or Tehsil Panchayat or Government service or local Body;

(c) he has been convicted of an offence which involves moral turpitude; or

(d) he is a member of the Panchayat for which he is or is to be employed;

(e) he is a son, grandson, or real brother or near relative of a member of the Panchayat.

(2) A candidate for the post of Secretary must have studied upto Hindi Middle; provided that the Panchayat may, with the approval of the Tehsil Panchayat, accept a lesser qualification in any individual case. Nothing herein shall be regarded as dispensing with the sanction of the Chief Panchayat Officer, where section 23 requires it.

(3) A candidate for the post of a temporary, part-time clerk must be able to read and write and maintain accounts systematically in Hindi language.

(4) It shall be the duty of the Secretary (and temporary clerk) to perform the duties specified by and to comply with all provisions of, the act and rules and bye-laws made there under, and to obey all lawful orders issued by the officers of Panchayat Department who are appointed under section 74 of the Act, and, subject to these provisions and orders, to perform the duties allotted by the Sarpanch.

(5) On a complaint regarding in-discipline or misconduct against Secretary, clerk or other employees of the Panchayat, the Panchayat or the Tehsil Panchayat shall impose a proper punishment or pass an order for dismissal after a proper inquiry has been conducted.

(6) The Secretary of the Panchayat may be asked to carry out the duties of Secretary to the Tehsil Panchayat also, with the approval of the Chief Panchayat Officer, if the headquarters of Tehsil Panchayat and Panchayat are the same. The Secretary shall not demand any remuneration or allowance for such extra duties.

(7) A part time clerk shall not work for more the two Panchayats except with the previous approval of the Chief Panchayat Officer.

(8) Two or more Panchayats may agree to have a common-secretary subject to the other provisions of the Act and these rules.

(9) Any employee of the Panchayat who has been dismissed by the Panchayat or against whom any other disciplinary action is taken by the Panchayat may apply for revision against such order to the Chief Panchayat Officer within 15 days of the date of receipt of the order. The Chief Panchayat Officer may after considering any explanation that may be offered by the Panchayat confirm reverse or modify the order.

(10) A character roll in Form No. 3 and List of Establishment in Form No. 4 shall be maintained by every Panchayat in respect of employees of the Panchayat.

*V Rule regarding the cremation of heirless persons with reference to section 24 (3).*

*Notes.*

Section 24 of the Act provides that it Shall be duty of each panchayat, Within the limits of funds at its disposal, to make adequate provision for carrying out the requirements of the area under its Jurisdiction in regard to the following matters:-

- (1) construction, repair and maintenance of public wells, tanks and ponds for the supply of water for drinking, washing and bathing purposes, and regulation of sources of water supply for drinking purposes;
- (2) construction, repair, maintenance, cleansing and lighting of public streets;
- (3) sanitation and taking curative and preventive measures to remove and to stop the spread of an epidemic;
- (4) medical relief;
- (5) upkeep, protection and supervision of any building or other property, which may belong to the Panchayat or which may be transferred to it for management;
- (6) registration of births, deaths and marriages;
- (7) removal of encroachments on public streets, public places and property vested in the Panchayat;
- (8) regulation of places for the disposal of the dead bodies of human beings and animals and of other offensive matter;
- (9) regulation of *melas*, markets and *hats* within the Panchayat Circle except those managed by the State Government.
- (10) establishment and maintenance of primary schools for boys and girls;
- (11) establishment, management and care of common grazing grounds and land for the common benefit of the persons residing within the Panchayat Circle;
- (12) regulation of the construction of new buildings or of the extension or alteration of existing buildings;
- (13) assistance in the development of agriculture, commerce and industry;
- (14) assistance in extinguishing fire, and protecting life and property when fire occurs;
- (15) maternity and child welfare;
- (16) allotment of places for storing manure,
- (17) management and maintenance of cattle pounds,
- (18) regulation, collection, removal and disposal of manure and sweepings.
- (19) construction and maintenance of public latrines, and
- (20) prevention of nuisance.

Rules contained in part V to part XII are meant to put into effect the requirements of different matters referred to in section 24 of the Act.

6. (1) Whenever the death of a person dying without heirs is reported, the Panchayat shall arrange for the burial or cremation of dead body, according to his religion.

(2) The expenses of the cremation or burial of the deceased shall be given from the Panchayat fund in case the deceased has left no property. Such expenses shall be realized from the property of the deceased person in case he has left property, or shall be realized from the person to whom it has been entrusted.

*VI. Rule regarding the management of dispensaries and medicines under section 24 (4).*

7. (1) The Panchayat may, so far as its funds permit establish a dispensary and arrange for the distribution of medicines in its area where it deems necessary.

(2) The Panchayat shall exercise superintendence and control over the dispensaries and shall inspect them periodically and shall see that the patients receive medicines in time.

(3) The Panchayat may get the medicines distributed through the members of its wards. It shall be the duty of the members of the ward to distribute the medicines among the patients by going to their villages concerned.

(4) The Chief Panchayat Officer, the Divisional Panchayat Officer, District Inspector and Assistant Inspector may inspect the dispensaries at the time of inspection.

(5) It shall be the duty of the Panchayat to encourage people to avail themselves of these institutions.

(6) Every Panchayat shall keep a charity box in which cash may be dropped by the people coming to Panchayat Office. The income obtained thereby shall be utilized for the distribution of medicines free of cost among the poor or for other charitable purposes.

*VII. Rule regarding care and maintenance of buildings and other properties vested in panchayat or placed under its management under section 24 (5).*

8. (1) The Panchayat shall maintain a register in Form No. 5 of all buildings and other properties which are vested in the Panchayat or are placed under its management.

(2) The Inspector or the Asstt. Inspector shall examine the register and properties atleast once a year and certify as to the whether the record is correct or not and the property is in good condition or not.

(3) No immovable property vested in or belonging to a Panchayat shall be transferred by sale, gift, exchange or mortgage without the sanction of the Chief Panchayat Officer.

*VIII Rule regarding the registration of births and marriages under section 24 (6).*

9. (1) Every Panchayat shall maintain a register of births and deaths and of marriages. The particulars about births, deaths and marriages shall be entered separately for every village and the Sarpanch shall be responsible for the correct maintenance of the registers.

(2) Every member of the circle of a Panchayat or head man of the village should report periodically every birth and death that has occurred and marriage that has been performed in the area of his circle.

(3) The panchayat shall send reports about births and deaths to the Tehsil Panchayat once in a week according to the circular issued by the Director of public Health. The Tehsil Panchayat, after collecting the figures of the months, shall forward the same to the District Medical and Health Officer.

(4) The registers of deaths, marriages and births shall respectively be in Forms No. 6, 7, and 8.

*IX Rule regarding the establishment management and care of common grazing grounds and land for the common benefit of the persons residing within the Panchayat circle under section 24 (11).*

10. (1) The Panchayat shall take possession of the common grazing grounds of every village existing at the commencement of these rules from the Tehsildar and manage them. In the village where the grazing grounds have not been reserved the Panchayat shall establish them, keeping in view the number of cattles in the village.

(2) The Panchayat shall send the proposal for taking over or establishing a grazing ground to the Tehsildar concerned for giving or securing sanction.

(3) The income from the trees growing on common grazing grounds shall be credited to the Panchayat Fund.

(4) The Panchayat may lease out such trees by private contract or public auction and may also sell dried, decaying and fallen trees by auction subject to the law for the time being in force. Cowdung on common grazing grounds may also be sold out by contract or auction.

(5) The Panchayat may extend the grazing ground in case of increase in cattle for which sanction will be applied for as in the case of establishing new grazing grounds.

*X. Rule regarding the regulation of the construction of new buildings or of the extension or alteration of existings buildings under section 24 (12).*

11. (1) A register will be maintained in respect of all applications for sanction for construction of a new building or extension or alteration of a building. Members of the Panchayat will, if necessary, inspect the site and the sanction will be given after the inspection has been made. No fee shall be charged for the inspection of site.

(2) The members of the Panchayat shall ordinarily keep the following things in their minds while inspecting the site and giving sanction:—

(a) that the passers by on the public streets will not feel any inconvenience if sanction is given;

(b) that the passage of vehicles will not be restricted.

(c) that the owners of the neighbouring buildings will not be inconvenienced in respect of light and air, and

(d) that sanitation and beauty shall not suffer.

*XI. Rule regarding assistance in Extinguishing fire and protecting life and property under section 24 (14).*

12 (1) Every Panchayat shall keep articles necessary for extinguishing fires and shall endeavour to train young men in extinguishing fires.

(2) The members of the Panchayat may enter the house of any person for the purpose of extinguishing fires and may remove the Thatch and roof made of bamboos and wood so far as is reasonably necessary for that purpose.

*XII Rule regarding establishment of cattle pounds and impounding of stray animals Found under section 24 (17).*

13. (1) A pound keeper may be separately appointed by the Panchayat or his duties may be entrusted to any employee of the Panchayat appointed by it. It shall be the duty of the pound keeper:—

(a) to maintain the following registers relating to the pound:—

(i) Cattle pound register in Form No. 9.

(ii) Receipt Register showing particulars of the impounded cattle in Form No. 10.

(iii) Pass Book showing delivery of the cattle impounded, in Form No. 11.

(iv) Accounts book showing:—

(i) account of sale proceeds of the cattle in Form No. 12.

(ii) account of charges to be paid by the owner of the cattle in Form No. 13.

(b) to prepare such statements as may be directed from time to time by the Panchayat; and

(c) to keep the cattle impounded safe such as their protection from heat, cold and rain and also to feed them

(2) All expenses relating to the pound and feeding and watering of the impounded cattle shall be charged to the Panchayat fund and all incomes therefrom shall be deposited into it.

(3) Any of the following persons may seize or cause to be seized any cattle and bring or cause to be brought the cattle within twenty four hours to the pound established for the purpose :—

(a) the cultivator or occupier, of any land where the cattle has trespassed on the land has damaged it or any crop or produce therein;

(b) the person who has advanced cost for the cultivation of the crop or produce on any land which the cattle has trespassed and has caused damage thereto ;

(c) the vendee or mortgagee of such crop or produce or any part thereof, of the land which the cattle has trespassed over and caused damage to;

(d) the buyer of such crop or produce or any part thereof of the land on which the cattle has trespassed and caused damage;

(e) the person incharge of public roads, pleasure grounds, plantations, canals, drainage works, embankments and the like, who finds the cattle causing damage to such roads, grounds, plantations, canals, drainage works, embankments and the like or the sides or slopes of such roads, canals, drainage works, or embankments, or found straying thereon,

(f) a person appointed on behalf of the persons mentioned in clauses (a) to (d) above to watch such land; and

(g) the Lambardar, Sehra or Chowkidar who finds the cattle straying;

(4) A list of fines and of the rates of charges for feeding and watering cattle shall be posted in a conspicuous place on or near the pound.

(5) When cattle are brought to a pound, the pound keeper shall enter in his register in Form No 9:—

(i) the number and description of the cattle;

(ii) the day and hour on and at which they were brought;

(iii) the name and residence of the seizer;

(iv) the name and residence of the owner of the cattle if known; and

(v) marks of identification of the cattle such as colour, horn, tail, hair etc.

(6) After impounding the cattle so brought, the pound keeper shall prepare a receipt in duplicate and shall give the seizer or his agent a copy of such receipt and obtain his signature or thumb mark as the case may be, on the counterfoil of the receipt book in token of its acknowledgement. Description of each cattle shall be noted in the register provided for the purpose.

(7) Cattle may be impounded at any time during the day and upto 10 p.m. in the night subject to the condition that the seizer of the cattle while impounding them, in his presence, shall obtain a receipt of such cattle from the pound keeper.

(8) The Panchayat shall fix up the hours of feeding and watering the cattle and only fine shall be recoverable in case of those cattle which were neither fed nor watered.

(9) The Panchayat shall make proper arrangements for vessels for watering the cattle impounded.

*Explanation :—*This arrangement shall be in addition to the arrangement which the Panchayat may make for taking the cattle for watering at the appointed time.

10 (a) If the owner of the cattle or his agent appears within a week and claims the cattle, the pound keeper shall deliver to him the cattle on payment of the fines and charges, if any, incurred in respect of such cattle.

(b) The owner of the cattle or his agent on taking back the cattle shall sign in token of receipt of the cattle in the register prescribed for the purpose.

(11) If the owner or his agent appears and refuses to pay the said fines and expenses, on the ground that the seizer was illegal and the owner is about to make a complaint, then on deposit of fines and charges if any incurred in respect of the cattle the cattle shall be delivered to him.

(12) If the owner or his agent appears and refuses or fails to pay or deposit the said fines and charges, the cattle or as many of them as may be necessary, shall be sold by public auction by the Panchayat. The fines leviable and the expenses of feeding and watering, together with the expenses of sale, if any, shall be deducted from the proceeds of the sale. The remaining cattle and the balance of the purchase money, if any, shall be delivered to the owner or his agent, together with an account showing:—

- (i) the number of cattle seized;
- (ii) the time during which they have been impounded;
- (iii) the amount of fines and charges incurred;
- (iv) the manner in which the proceeds have been disposed.

*Note :—*The owner or his agent shall give a receipt for the cattle delivered to him and for the balance of the purchase money (if any) paid to him according to such account. If the owner of the cattle or his agent refuses to pay or deposit the fines and expenses incurred in respect of the cattle, then a written report may be obtained, if possible, from him.

(13) If the cattle are released, the owner of the cattle or his agent shall be given one of the duplicate copies of the receipt in Form No. 11 and his signature obtained in the register in token of his having paid the fines or charges if any incurred on the cattle below the receipt. After adding the amount of the receipt to the amount of the last receipt the total shall be written in place of the total money received. This total shall be progressively increased which shall only be written when both the foils of the receipt are prepared.

(14) If the cattle are auctioned, the buyer shall be given a receipt in Form No. 13 duly signed by the Sarpanch of the Panchayat.

(15) If the cattle be not claimed within seven days from the date of their being impounded, the pound keeper shall enter the fact in the register in Form No. 9 and make a report to the Panchayat.

(16) In the report which the pound keeper shall make in accordance with sub rule (15), he shall enter the details of expenses of feeding and other expenses if any.



(17) On receiving a report about the cattle not released within a week, the following action shall be taken after opening a file thereof :—

(a) The Panchayat shall give one month's notice to the effect that any person who may have objection to the auction of the cattle concerned, should prove it to be correct, and that no objection shall be entertained after expiry of the period of notice. In the notice the following particulars shall necessarily be stated :—

- (1) the number and description of the cattle;
- (2) the place where they were seized; and
- (3) the place where they are impounded;

Note :—Such notice shall be published in the village nearest the place of seizure.

(b) While publishing the notice, the Panchayat shall simultaneously and conditionally auction such cattle and the auction money realised shall be deposited in suspense account. Following shall be the conditions of auction of the cattle:—

(i) the buyer of the cattle shall not transfer the cattle within the period of notice in case no objection is filed, and by the final decision of such an objection of filed.

(ii) he shall also return the cattle to the Panchayat on payment of the auction money and the expenses of feeding of the cattle.

Note :—The auction will be held for three days, but no such period of 3 days shall be necessary if the auction fetches full price of the cattle earlier.

(c) If any objection be filed by any person during the period of notice, the Panchayat shall require him to prove his ownership of the cattle. The Panchayat shall order the return of the cattle to the person who files the objection if he proves them to be his own.

*Explanation* :—During the period of proceedings if the Panchayat is satisfied that the cattle are of the person filing the objection and that no further action is necessary then the Panchayat, with a view that the expenses of feeding and watering may not unnecessarily increase, may, if it thinks proper deliver the cattle to such person on production of adequate security.

(d) In case of delivery of the cattle to the person filing the objection, the fine and expenses of feeding shall be recovered from him. The fine and expenses of the period the cattle remained in the pound, shall be deposited in the account of the cattle pound and out of the expenses of feeding, the Panchayat shall pay the feeding charges as it thinks fit upto the day of the conditional auction. The balance if any, shall be carried to the funds of the Panchayat.

(e) In case no objection is received from any person or the cattle could not be proved of the person who filed objection, the Panchayat, while ordering the auction of the cattle, shall deposit the fine and expenses of feeding the cattle into the account of the cattle pound and the balance, if any, of the auction money shall be carried to the funds of the Panchayat.

Provided that the conditional auction shall be final only after the final decision of the appeal made against the decision of the Panchayat.

(18) The cattle pound shall be inspected at least once a year, or earlier if possible, by the Chief Panchayat Officer, Divisional Panchayat Officer, the District Inspector or Assistant Inspector. At the time of inspection, the District Inspector and the Assistant Inspector shall examine the total of columns in the register and shall see that the progressive totals in the receipt are accurately posted and that they tally with the amount deposited in the Panchayat Fund. They shall also examine and count the cash if any with the pound keeper.

(19) The following shall be the scale of charges of feeding and watering, which may be revised by the Chief Panchayat Officer from time to time.

Cattle.				Charges per day.
1.	Elephant	...	...	Rs. 10/-/-
2.	Camel	...	...	Rs. 1/-/-
3.	Horse	...	...	Rs. 1/-/-
4.	Buffaloe	...	...	Rs. 1/-/-
5.	Cow and bullock	...	...	Rs. -/12/-
6.	Dunkey	...	...	Rs. -/4/-
7.	Calf	...	...	Rs. -/4/-
8.	Goat	...	...	Rs. -/1/-
9.	Sheep	...	...	Rs. -/1/-
10.	Others	...	...	Rs. -/4/-

Note:—Cattle shall include female cattle also where it is not mentioned.

(20) A panchayat shall advance an amount upto Rs. 10/- to the pound keeper for purposes of management, who shall make the necessary arrangement, under the supervision of the Panchayat, for the feeding and watering of the cattle impounded. Every pound keeper who receives advance money shall have to give in writing a receipt to the effect that the money is due from him and he shall render its account. Such receipt shall be kept on the safe file of the village Panchayat and the account shall be recorded from time to time in the cash book of the Panchayat. Any balance of such an advance if due, from the pound keeper at the close of financial year shall be shown in the monthly account of March every year. The advance which may be given to the pound keeper shall be a part of the Panchayat fund.

(21) The fine on the cattle impounded shall be recoverable from their owner at the following scale:—

## Cattle.

## - Fine per head.

1.	Elephant	..	...	...	Rs. 5/-
2.	Horse	...	...	...	Rs. 1/-
3.	Buffaloe	...	...	...	Rs. 1/-
4.	Cow and bullock	...	...	...	Rs. -/12/-
5.	Camel	...	...	...	Rs. 1/-
6.	Goat	...	...	...	Rs. -/4/-
7.	Calf	...	...	...	Rs. -/4/-
8.	Donkey	...	...	...	Rs. -/2/-
9.	Sheep	...	...	...	Rs. -/4/-
10.	Others	...	...	...	Rs. -/8/-

(22) No member of the Panchayat or employee, thereof shall offer his bid in the auction.

(23) The security bond of the pound keeper shall be kept in the personal custody of the Sarpanch of the Panchayat.

(24) (a) In the case of "Haria Gay" (cows set free for grazing at night) the provisions of sub-rules (1) to (23) shall apply with these modifications:—

(i) Such cows may be auctioned on the expiry of two days instead of the period of seven days mentioned in sub-rule (15) and (17);

(ii) the fine recoverable under sub-rule (21) for such cows shall be Rs. 10/- per head and out of the fine an amount of Rs. 5/- shall be paid as a reward to the person who seized the cow and brought it to the pound; and

(iii) such cows may be sent to a neighbouring Panchayat for auction, if the Panchayat within whose jurisdiction they were seized finds that no person is prepared to bid at its auction.

*Explanation.*—"Haria Gay" means cows set free at night from urban areas for grazing on green fields, with out any attendant to look after them, in a manner that might cause damage to the crops.

(b) Where a neighbouring Panchayat auctions "Haria Gay" under clause (a) it shall remit the sale proceeds, minus expenses, to the original Panchayat.

(c) This sub-rule shall apply only to the District of Bharatpur and to such other areas as may be notified from time to time by the Chief Panchayat Officer.

(25) "Van Gay" (ownerless cows including calves if any) may be seized by any agriculturist and appropriated to his own use, or the Panchayat may cause them to be seized and appropriate them to its own use, or sell them or transport them to jungles set apart for the purpose by the Government by notification.

## Notes.

Sub-rules (24) and (25) of rule 13 have been newly added vide amending Notification No. F. 1 (d) (36) L. S. G. /54 dated 3-3-1955 published in Rajasthan Rajpatra, part IV (c) dated 16-4-55.

*XIII. Rule Regarding prohibition of curing dyeing or tanning of skins within 220 yards of the abadi area under section 25 (9).*

## Notes.

Section 25 requires a panchayat to make provision within its jurisdiction for—

(1) planting and maintaining trees at the side of public streets and in other public places;

(2) the improved breeding and medical treatment of cattle and prevention of disease in them;

(3) the filling in of insanitary depressions and levelling of land;

(4) the organizing, subject to rules prescribed, of a village volunteer force for watch and ward duties and for assisting the Panchayat in the discharge of its functions;

(5) the development of co-operation and establishment of improved seed and implement stores;

(6) the relief against famine or other calamity;

(7) the extension and development of land of the *abadi* area subject to rules prescribed by the Government;

(8) the establishment and maintenance of *akhara* or club or other places for recreation and games;

(9) the prohibiting or regulating of curing, tanning and dyeing of skins within 220 yards of the *abadi* area;

(10) the setting up of organizations to promote good will and social harmony between different communities;

(11) the installing of public radio sets and gramophones;

(12) the taking of other measures of public utility calculated to promote the moral and material well-being or convenience of the villagers;

(13) the prohibiting or regulating of brick or lime kilns within 220 yards of the *abadi* area;

(14) the establishment and maintenance of libraries and reading rooms;

(15) the maintenance of stud bulls;

(16) the relief of the destitute and the sick;

(17) the promotion, improvement and encouragement of cottage industries;

(18) control of traffic on the public streets and roads; and

(19) location of wine shops and slaughter houses.]

The rules Contained in parts XIII, XIV and XV make provision for matters referred to in clauses (ix), (xiii) and (xiv) of section 25.

14. The Panchayat shall fix the place for the curing, dyeing or tanning of skins outside 220 yards of the village site. The Panchayat may prohibit curing dyeing or tanning of skins within 220 yards of the *abadi*, as authorised by section 25 (9), provided that if the curing dyeing or tanning was practised at the time of the establishment of the Panchayat, it shall not be prohibited unless the Tehsil Panchayat for reasons to be recorded, otherwise directs.

*XIV. Rule regarding prohibition or regulation of Brick or Lime Kilns within 220 yards of the abadi area under section 25 (13).*

15. The Panchayat shall be competent of fix a place for the establishment of brick or lime kilns outside 220 yards of *abadi*. The

Panchayat may prohibit the establishment of brick or lime kilns within 220 yards of the abadi;

Provided that if the brick or lime kilns were established at the time of the establishment of the Panchayat, it shall not be prohibited unless the Tehsil Panchayat for reasons to be recorded, otherwise directs.

*XV. Rule regarding the establishment and maintenance of Libraries and Reading Rooms under section 25 (14).*

16. (1) A Panchayat may establish and maintain libraries and reading rooms under its circle.

(2) A Panchayat may collect donations from the public in addition to the sanctioned amount of the budget, keeping in view its own fund for libraries and reading rooms and shall demand aid from the Government.

(3) The amount of aid given to the Panchayat by the Government for libraries and reading rooms shall be spent only on libraries and reading rooms.

(4) The Panchayat shall have to maintain a separate account of income and expenditure from libraries and reading rooms in the Panchayat fund.

(5) The Panchayat shall send for the necessary newspapers from the amount received from Government aid, sanctioned from Panchayat fund and collected from public donation, giving a due consideration to the taste and level of education of the public of its circle and shall prepare a plan for the purchase of the books and necessary articles which shall be sanctioned by the Divisional Panchayat Officer before its execution.

(6) The Panchayat shall fix a place for libraries and reading rooms where the people of every community, without any consideration of caste and creed may have access there and benefit thereby.

(7) The Panchayat may take the work of librarian from the employee of Panchayat who may be paid an allowance. In special cases, a separate librarian may be employed. The appointment and dismissal of the librarian will be in the hands of the Panchayat but the Panchayat shall have to comply with all the rules which are applicable to Panchayat employees.

(8) The librarian shall have to furnish security of the amount, fixed by the Panchayat and it shall be the duty of the librarian:—

- (a) to abide by the rules of libraries and reading rooms;
- (b) to open the library and reading room at the appointed time and behave politely towards the readers even after providing them all facilities.

(c) to make the library and reading room more progressive by the best possible advertisement;

(d) to forward to the Panchayat any suggestion made by the readers in connection with the purchase of books and news papers;

(e) to keep the black board daily at some conspicuous place by inserting on the black board the important information;

(f) to arrange for the sweeping of the library and the reading room before opening it and remain needful about sanitation;

(g) to arrange for the light and drinking water in library and reading room according to necessity;

(h) to maintain a close contact with the school literates and request the persons to read the books and newspapers;

(i) to keep the books in good condition and report for repairs according to necessity;

(j) to keep the daily record of the readers of books and newspapers and the borrowers and get the signatures of the readers, and

(k) to present a monthly report of the readers and borrowers of books and newspapers.

(9) The following registers will be maintained in the libraries and reading rooms:—

(a) The catalogue of books in Form No. 14.

(b) Catalogue of newspapers in Form No. 15.

(c) The attendance register of the readers in Form No. 16.

(d) The register of issue and receipt of books in Form No. 17.

(e) The stock register of articles in Form No 18. In this register, shall be entered the record of all the permanent articles of library and reading room for example can, jug, etc, and the articles of amusement will also be entered therein.

(10) If a book is given for reading the period for returning it will be one week from the date of its issue. If the book is not returned during this period then if a Panchayat deeris proper may charge some reasonable fine for each day. The record of the income so realized shall be entered in the remarks column of the register of issue of the books. The amount to be realised for every month will be deposited in the income of Panchayat on the first date of the next month and the number of ledger page shall be entered into the register.

(11) If any person loses any book, or does not return it then the cost of the book shall be realized from that person and the amount so realised will be credited in the Panchayat fund in the account of library and reading room and the amount will be spent on the library and its entry will be made in the register concerned.

(12) The Panchayat shall superintend the library and reading room and inspect them periodically and keep the following things in view:—

(a) whether the librarian fulfills his duties properly or not;

(b) whether the people avail themselves of the library and reading room;

(c) whether the object of establishing library and reading room is being fulfilled or not.

(13) The Panchayat shall forward the statement of the attendance of the readers in library and reading room and the borrowers of books of one month, upto the seventh of the next month to the Divisional Panchayat Officer.

(14) If in a Panchayat library or reading room, there are books for which people have lost taste by reading them repeatedly, the Divisional Panchayat Officer may transfer such books to that Panchayat where the library has not been established. The entry of transfer will be made in the book register. The Panchayat receiving the books shall keep them in its library or shall establish a library, so that the books may be utilised. Such library will also be governed by the other provisions contained above.

*XVI. Rule regarding the disposal and removal of carcasses of all animals dying within the village to a specified distance from the village site under section 26 (6).*

*Notes.*

Sub-section (1) of section 26 of the Act authorises a panchayat to do all acts necessary for and incidental to, the execution of its obligatory and discretionary duties under section 24 and 25 of the Act. A panchayat shall have in this regard power,

“(vi) to order the disposal and removal of carcasses of all animals dying within the village to a specified distance from the village site.”

The rule in this part have been framed for prescribing the manner in which this power shall be exercised.

17. (1) It shall be the duty of Panchayat to regulate the disposal of carcasses of animals dying within its area, subject to the rights of the owners thereof or the customary rights of persons who do such work by custom.

(2) If the above mentioned persons, leaving their custom, do not desire to dispose of the carcasses, then the Panchayat shall arrange to dispose of the carcasses by giving licenses to one or more persons and shall fix the rate of remuneration of such licensees. A fee of Rs. 1/- shall be realised for each license per year which shall be credited to the Panchayat Fund.

(3) The Panchayat may give out contracts for the sale of bones of dead animals, removal of ownerless animals, skinning the animals and for depositing a fixed amount in exchange of the skins. The proceeds received from such contracts shall be credited to the Panchayat Fund.

*XVII. Rule regulating the Execution of Decrees under Section 43.*

*Notes.*

Sub-section (1) of section 43 of the Act provides that decree or order passed by panchayat shall be executed by it in such manner as may be prescribed. Sub-section 2 of section 43 provides that,—

[2] If a Panchayat finds any difficulty in executing a decree or order, it may forward the same in the manner prescribed, to the Munsiff having jurisdiction, who shall thereupon execute the decree or order as if it were a decree or order passed by himself.

The rules in this part prescribed procedure as required under sub-section [1] of section 43 of the Act.

18. (1) A decree shall be executed by the Panchayat which passed the decree. The Panchayat may transfer the decree to the court of the Munsiff concerned, if there is any difficulty in the execution of the decree, or the property of the judgment debtor is situated outside the jurisdiction of Panchayat. The Panchayat shall send the following documents when sending the decree for execution:

(a) Decree certificate;

(b) certificate stating the reason why the Panchayat could not get it executed and if a part of the decree has been executed then details thereof and the particulars amount which remains to be paid; and

(c) copy of that order which has been forwarded for execution, and if, no such order has been issued a certificate for that purpose.

(2) An application for the execution of a decree shall be presented within 3 years from the date of the decree.

(3) The application for the execution of decree shall be accompanied by the prescribed court fee and decree certificate.

(4) On the presentation of the application for the execution of the decree, the Panchayat shall examine it in order to see whether it is in accordance with the provisions contained above. If the rules have not been followed the Panchayat may reject the application or may order the correction of the mistake within a time fixed by it.

(5) If any application has been amended according to the directions the Panchayat might have given as above the application will be considered as lawful and be deemed to be presented on the date on which it was previously presented.

(6) If the application has been accepted then it shall be entered in the register in Form No.19 by the Panchayat.

(7) After entering the application in the register the Panchayat shall issue a notice in Form No. 20 to the Judgment debtor to pay up the decretal amount within thirty days.

(8) If after service of the notice the judgment debtor does not pay the decretal amount the Panchayat shall inform both the parties to present themselves on an appointed date.

(9) If on the appointed date the judgment debtor requests for an order for instalments, the Panchayat may make an order for instalments if it deems just.

(10) If the amount is not paid according to the decree of instalments granted as above the decree holder may present an application for the attachment of the moveable property of the judgment debtor. The decree holder shall deposit the following fees and travelling allowances:—



*Fees**One Rupees*

Travelling allowance where there is an established means of transport by rail or motor.

Actual fare of lowest class.

If there is no proper means of travel by railway or Motor and decree holder does not provide for any conveyance.

Mileage charges of one anna 6 pies per mile.

The fee and travelling allowance should be deposited in the Panchayat cash book.

After the execution of the decree four annas should be given from the fee to the peon, twelve annas as the fee and the amount of the travelling allowance should be given to the clerk after entry in the accounts.

(11) On the application of the decree holder for attachment the Panchayat shall direct the officer of the panchayat for issuing a warrant for the attachment of the moveable property of the judgement debtor in Form No. 21, keeping in view the amount of the decree, and the warrant shall specify the property to be attached.

(12) It shall be lawful for any officer to whom a warrant of attachment is addressed to break open at any time between sunrise and sunset, any outer or inner door of a building in order to make the attachment directed in the warrant, if he has reasonable grounds for believing that such building contains property which is liable to seizure under the warrant, and if after notifying his authority and purpose and duly demanding admittance, he can not otherwise obtain admittance; provided that such officer shall not enter or break open the door of any apartment appropriated for women until he has given reasonable notice of his intention, and has given such women an opportunity to remove herself.

(13) If the decree holder directs the officer executing the warrant, to go to a place other than the house of the judgment debtor and the officer has been authorised by the warrant, to attach where ever it may be found any moveable property of the judgment debtor it shall be lawful for the officer to attach moveable property of the judgment debtor wherever found and for that purpose to exercise the powers of entry given above.

(14) The following property of the judgment debtor shall not be attached:—

(a) bullocks, cows, calves and fillies;

(b) the necessary wearing apparel and bedding, of the judgment debtor, his wife and children;

(c) when the judgment debtor is an agriculturist, his implements of husbandry, seed grain, food stuffs for his family for the coming eight months.

(d) when the judgment debtor is a woman such ornaments as she is prohibited from parting with by custom.

(15) The Officer shall on attaching the property forthwith make an inventory thereof and then remove it.

(16) When the property seized is subject to speedy and natural decay, the same shall be auctioned at once and the proceeds will be deposited as advance.

(17) If after attachment of the property the judgment debtor does not pay the amount a date shall be fixed for auction of the property. The date shall be at least fifteen days after the attachment.

(18) If an objection to attachment is filed within fifteen days, the Panchayat shall investigate the objection and may postpone the auction, if necessary.

(19) On the appointed day the property shall be sold by public auction and the highest bidder shall get the property. The sale price shall be realised on the spot. If it is not paid the property may be re-auctioned.

(20) The surplus, if any, after the execution of the decree shall be forthwith credited to the Panchayat fund as advance, notice of such credit being given to the judgment debtor and the amount will be returned to him on his application.

(21) Fees for the cost of maintaining any live stock seized under attachment shall be chargeable at the rates fixed for maintenance of cattle in the cattle pounds.

(22) No Panchayat shall attach or sell immovable property in execution.

(23) The members and employees of the Panchayat shall not bid in any auction held by the Panchayat.

(24) In these rules, "decree" includes executable orders.

*XVIII. Rule regarding court fees under section 45 and section 89 (2) (xxiv)*

*Notes.*

Sub section (1) of section 45 provides that, Any person who wishes to institute a suit or a case under this Act before a Panchayat shall make an application orally or in writing to the Sarpanch or the Upsarpanch or in the absence of both to any other Panch and shall at the same time pay the prescribed fees.

The present rules prescribe the court-fees as required under sub-section (1) of section 45.

19. (1) The following fees shall be charged by the Panchayat before entertaining any suit case or proceeding mentioned below:—

**Court fees**

Civil suits	...	...	...	...	One anna per rupee.
Criminal case	...	...	...	...	Eight annas for every complaint.
Application in the Course of any suit	...	...	...	...	One anna
Agents documents of authority in every suit or proceeding	...	...	...	...	Four annas.
Application to obtain copy	...	...	...	...	One anna.
Decree certificate presented for execution up to Rs. 50/					Eight annas,

Decree certificate presented for execution for more than Rs. 50/-	One rupee.
Objection in case of ownerless cattles and attachment moveable property of a value upto Rs. 25/-	Four annas.
Objection in case of ownerless cattles and attachment moveable property of a value is more than rupees 25 but less than Rs. 50/-	Eight annas.
Objection in case ownerless cattles and attachment moveable property where value is more than Rs. 50/-	One rupee.
Fee for the inspection of records one hour	Four annas.

Re: Appeals presented to the Tehsil Panchayat regarding civil suits and criminal cases or other proceeding:—

Appeal Civil	Half of the Court fee of the original suit.
Appeal Criminal	One rupee.
Appeal Others	One rupee.
Affidavit	Eight annas.
Other applications	One anna.

Revision of records, Petition filed in the Court of the District and Sessions Judge under section 59:—

Civil	One rupee.
Criminal	One rupee.
Other applications	One anna.
Copying fees 360 words or fraction thereof	Eight annas.

Every application shall be accompanied by an advance sufficient to cover the estimated cost of the copy applied for. And the copy will be prepared after the amount has been deposited.

(2) The court fees labels of Panchayat will be similar to that of the court fees labels for ordinary courts but the word "Panchyat" will be super imposed thereon in red.

(3) The Panchayat court fee label may be had from the office of the Panchayat and the Panchayat shall sell the labels after entry in the register in form No. 22.

(4) If the Panchayat court fees labels can not be obtained on account of any reason, the court fee will be realized in cash and its entry will be made in the register of court fees income in Form No. 23 and a note made on the papers presented.

(5) The court fee of one anna for full one rupee will be charged if the amount of suit is above eight annas but is less than one rupee and no court fee will be charged for an amount less than eight annas.

(6) The Panchayat may entertain the application or suit without any court fees if the person filing a suit is poor and can not pay the court fees, subject to the restriction that a court fee will be realized at the time of the execution of decree.

(7) No court fee will be charged for the application presented for the welfare of the public or in administrative matters.

*XIX. Rule regarding passing of no confidence motion against Sarpanch of Tehsil Panchayat with reference to section 58 (3) read with section 19.*

#### Notes

Sub-section (3) of section 58 of Rajasthan Panchayat Act provides that, "Save as otherwise provided for in this section, the provisions of sections 7 to 23 both inclusive) shall *mutatis mutandis* apply, so far as may be, to Tehsil Panchayats and to the Sarpanchas thereof as if they were for the purpose of such application Panchayats established under section 3 or, as the case may be, the Panchas or Sarpanchas of the latter.

The rules in parts XIX, XX and XXII are based on principles laid in sub-section (3) of section 58.

Sub-section (1) of section 21 requires framing of rules for procedure as may be followed by a panchayat in conducting its business. As this section applies to Tehsil Panchayats also *mutatis mutandis* the present rules have been framed on the authority of this sub-section.

20. (1) The same procedure will be followed for a passing a no confidence motion against the Sarpanch and Upsarpanch of a Tehsil Panchayat as is followed in the case of Sarpanch and Upsarpanch of a Panchayat

*XX. Rule regarding the conduct of business of Tehsil Panchayats under section 58 (3) read with section 21 (1).*

21. The procedure prescribed by rule 4 of these rules, shall, as far as may be, apply in respect of the conduct of business by Tehsil Panchayats. The register in Form No. 1 and the order-book in Form No. 2 shall also be maintained by Tehsil Panchayats. An extract from the entries in the register in form No. 1 made in every month shall be forwarded to the Divisional Panchayat Officer in the first week of the next month.

*XXI Rule regarding the procedure of Tehsil Panchayats in hearing appeals with reference to section 58 (3) read with section 21 (1).*  
*Civil Appeals*

22. (1) Every appeal shall be presented to the Sarpanch of the Tehsil Panchayat or a Pancha or officer authorised by him.

(2) The appeal shall be in the form of a memorandum which shall set forth concisely the grounds of objections to the decree or order, and shall be accompanied by a certified copy of the judgment or order.

(3) When an appeal is presented, the officer receiving it shall scrutinise it in order to satisfy himself that it bears the proper court fee and is within the period of limitation and is within the jurisdiction of the Tehsil Panchayat. If the memorandum of appeal is defective, it shall be returned to the Appellant or his agent for amendment within a specified time.

(4) The appeal may be presented by the appellant in person or by his agent. A person in prison may however, send an appeal through the Jailor.

(5) An appeal returned for amendment may be re-presented after making the required amendment within the specified time, and, in such case, its presentation shall be deemed to have taken place on the date on which it was originally presented.

(6) When an appeal is admitted, it shall be entered in the register concerned, and the file of the original case shall be requisitioned from the Panchayat.

(7) A date of hearing will also be fixed and the parties shall be informed of the place, time and date where the appeal will be heard.

(8) Nothing in this rule shall be regarded as affecting the power of the Tehsil Panchayat to dismiss an appeal summarily, where, after hearing the appellant, the Tehsil Panchayat is satisfied that the appeal is barred by any law or is without substance.

(9) Where an appeal is not dismissed summarily, the Tehsil Panchayat shall, on the appointed day, hear the parties present and after perusing the file of the case give its judgment. The Tehsil Panchayat may, by its judgment, confirm reverse or modify the decree or order under appeal or if the parties to the appeal agree as to the form which the decree or order in appeal shall take, pass a decree or order accordingly.

(10) The Tehsil Panchayat shall have power to pass any decree and make any order which ought to have been passed or made, or to pass or make such further or other decree or order as the case may require, and this power may be exercised by it notwithstanding that the appeal is as to a part only of the decree.

(11) Where the Panchayat from whose decree or order an appeal is preferred has disposed of the suit upon a preliminary point, and the decree or order is reversed in appeal, the Tehsil Panchayat may, if it thinks fit, by order remand the case and may further direct what issue or issues shall be tried in the case so remanded and shall send a copy of its judgment to the Panchayat from whose decree or order the appeal is preferred, with directions to re-admit the suit under its original number and proceed to determine the suit, and the evidence, if any, recorded during the original trial shall, subject to all just exceptions, be evidence during the trial after remand.

(12) Where the Panchayat whose decree or order is under appeal has omitted to frame or try any issue or to determine any question of fact which appears to the Tehsil Panchayat essential to the right decision of the suit upon the merits, it may, if necessary, frame issues and refer the same for trial to the Panchayat with direction to take the additional evidence required. The Panchayat receiving such an order of the Tehsil Panchayat shall proceed to try such issues and shall return the evidence to the Tehsil Panchayat together with its findings thereon and the reasons therefor. Such evidence and findings shall form part of the record in the suit and any party may, within a time to be fixed by the appellate court, present a memoran-

dum of objections to any finding. After expiration of the time so fixed, the Tehsil Panchayat shall proceed to determine the appeal.

(13) The parties to an appeal shall not be entitled as of right to produce additional evidence before the Tehsil Panchayat, but the Tehsil Panchayat may allow such evidence to be produced, where it is satisfied that the Panchayat from the whole decree or order the appeal is preferred has refused to admit evidence which ought to have been admitted, or where the Tehsil Panchayat requires any document to be produced or any witness to be examined for substantial cause. Such additional evidence may be recorded by the Tehsil Panchayat itself, or may be recorded by the Panchayat whose decision is under an appeal, if the Tehsil Panchayat so directs.

(14) Where the appellant does not appear on the day fixed for hearing an appeal the Tehsil Panchayat may dismiss the appeal in default. Such dismissal may be set aside by the Tehsil Panchayat, if the Tehsil Panchayat is satisfied on an application made within 30 days by the appellant that the appellant was prevented by sufficient cause from appearing when the appeal was called on here for hearing.

(15) An order of dismissal in default passed in the presence of the respondent shall not be set aside without giving the respondent an opportunity of showing cause why it should not be set aside.

(16) Where on the day fixed for hearing an appeal, the appellant appears but the respondent does not appear, the appeal shall be heard *ex parte*. Where an appeal is heard *ex parte* and the judgment pronounced against the respondent, he may apply to the Tehsil Panchayat to re-hear the appeal; such application shall be made within 30 days of the date of the judgment of Tehsil Panchayat, or, where the notice of appeal was not duly served, within 30 days of the date on which the respondent comes to know of the judgment in appeal. The Tehsil Panchayat may, if satisfied that the notice of appeal was not duly served or that the respondent was prevented by sufficient reason from hearing when the appeal was called on for hearing, re-hear the appeal.

(17) An order restoring an appeal or directing the re-hearing of the appeal heard *ex parte* may impose such terms as to costs or otherwise as the Tehsil Panchayat may think fit to impose.

(18) Any notice regarding date of hearing of an appeal may be sent to Panchayat within whose jurisdiction the persons to be served are residing. Where such persons reside at a place not within the jurisdiction of any Panchayat, the notice may be sent to the Civil Court within whose jurisdiction he resides. Such Court shall serve the notice in the manner provided in the Code of Civil Procedure 1908 (Act No. V of 1908) for the service of summons on the defendant.

*Criminal Appeals*

(19) Every criminal appeal shall be in the form of a petition in writing presented by the appellant or his agent and shall be accompanied by a copy of the judgment or order appealed against.

(20) On receiving the petition of appeal the Tehsil Panchayat may peruse the same, and if after hearing the appellant or his agent it considers that there are no sufficient grounds for interfering, it may dismiss the appeal summarily.

(21) If the appeal is not dismissed summarily, a date shall be fixed for hearing, of which information shall be given to the parties. The file shall be called for from the Panchayat whose decision is under appeal.

(22) On the date fixed for hearing, after hearing the parties and perusing the file, the Tehsil Panchayat shall give its judgment. Such judgment may confirm, modify or reverse the decision under appeal, or direct a re-trial, or reduce or alter the sentence, or, in an appeal from an order of acquittal, find the accused guilty and may pass sentence on him according to law. The Tehsil Panchayat may pass such consequential or incidental orders as may be necessary.

(23) In other respects the provisions given above regarding civil appeals, shall, with necessary modifications, be followed in criminal appeals also.

*General.*

(24) Both in Civil and in Criminal appeals, the Tehsil Panchayat may adjourn hearing from time to time for sufficient cause and on such terms as to cost or otherwise as may be just.

(25) Where the decision of a Panchayat in civil or criminal case is under an appeal, an appeal itself shall not operate as a stay of execution but the Tehsil Panchayat may, on an application made by the applicant, for reasons to be recorded direct that the execution of the decree order or sentence may be suspended on such terms as the Tehsil Panchayat may think fit to impose. Such order shall be passed after giving the respondent an opportunity of showing cause why it should not be passed. In urgent cases, the Tehsil Panchayat may pass such an order, pending the issue of a notice to the respondent.

(26) The registers of appeals shall be in forms No. 32, 33 and 34.

*XXII. Rule regarding appointment of servants of  
the Tehsil Panchayats*

23. The procedure prescribed by rule 5 of these rules for the appointment of servants for a Panchayat shall be followed with regard to servants of a Tehsil Panchayat also, with necessary modifications.

## Notes.

The rules in parts XXIII, XXIV, XXV, XXVI, XXVII and XXVIII have been framed on the authority of section 64 of the Act. Section 64 reads as under:—

(1) Subject to the prescribed rules and any orders made by the State Government in this behalf, a Panchayat may with the previous sanction of the State Government impose one or more of the following taxes, namely:—

- (a) a tax on the rent payable for the use or occupation of agricultural land not exceeding half anna in a rupee of such rent, such tax being payable by the person or persons severally or jointly in cultivatory possession of such land or in receipt of *sayar* income therefrom;
- (b) a tax on rent received by any land holder on account of the use or occupation of agricultural land not exceeding half anna in a rupee of such rent, such tax being payable by a person or persons severally or jointly receiving such rent;
- (c) a tax on the assumed rental value or *khudkasht* or *Hawala* land calculated in accordance with the provisions of the law relating to land revenue in force for the time being, at the rate not exceeding half anna in a rupee of such value, such tax being payable by the person or persons severally or jointly holding such *khudkasht* or *Hawala* land;
- (d) a tax on trade, callings and professions not exceeding such rates as may be prescribed;
- (e) a tax on buildings owned by persons, who do not pay any of the aforesaid taxes, not exceeding such rate as may be prescribed;
- (f) entertainment tax;
- (g) vehicle tax except on those vehicles which are used for the purpose of cultivation;
- (h) a tax on industries;
- (i) a tax for arranging the supply of drinking water within the Panchayat circle; and
- (j) any other tax with the previous sanction of the State Government.

(2) A tax under clause (a) or clause (b) or clause (c) of sub-section (1) shall not be imposed alone, and if a tax under any one of the aforesaid three clauses is imposed, a tax under the other two clauses shall also be imposed and the rates imposed under all the three clauses shall be the same.

(3) The taxes under sub-section (1) shall be imposed, assessed and realised in such manner and paid or realised at such times, as may be prescribed.

(4) The State Government may, by notification in the Rajasthan Gazette require any Panchayat to impose, subject to the provisions of sub-section (2) and (3), any of the taxes specified in sub-section (1) from such date and at such rates as may be specified in the notification.

(5) While any notification under sub-section (4) is in force, the Panchayat shall proceed to impose the tax or taxes therein specified as if a resolution of the Panchayat had been passed for the imposition thereof and it shall not be lawful for it to abandon, modify or abolish any tax so imposed:

Provided that the State Government may at any time cancel any such requisition or modify it in any respect:

Provided further that when any tax has been imposed upon the requisition of the State Government under sub-section (4), any other tax of a like nature previously imposed by the Panchayat without such requisition shall cease to be levied and realised from the date from which the tax imposed upon the said requisition is to be levied and realised.

24. (1) If the Panchayat resolves to impose any tax under section 64 it shall proclaim the purport of the resolution for the information of the persons concerned by beat of drum or by written notices affixed to some conspicuous place within the Panchayat circle, and shall invite their objections within 30 days from the date



of such proclamation. The objections shall be considered at a meeting to be held for the purpose.

(2) If after considering the objections, it is decided to impose the tax, the proposal together with the objections, if any, shall be forwarded to the Chief Panchayat Officer for approval.

(3) The Chief Panchayat Officer may return the proposal for further consideration of the Panchayat or forward it to the Government for approval with or without modifications.

(4) The Government may approve, alter or reject the proposal or give any proper order; provided that no enhancement of the rate of tax, shall be made by the Government under this provision.

(5) In the case of every such approval, the Government shall specify the date from which the tax mentioned in the proposal shall come into force.

(6) The Panchayat shall proclaim the approved proposal and that information shall be proclaimed in the manner prescribed above for proclaiming the original proposal.

### *XXIII. Rule Regulating the tax under section 64*

#### *(1) (a) (b) (c) and its realisation.*

25. (1) If the tax has been imposed on the rent payable for the use or occupation of agricultural land or on rent received by any land holder on account of the use or occupation of agricultural land, or on the assumed rental value or Khudkhast or Kawala land the Panchayat shall obtain a register from the Tehsildar according to Form No. 24 before or upto the 15th of December each year. The Tehsildar after getting the register prepared by Patwari and checked by the Revenue Inspector will send it to the Panchayat on the appointed date. On the basis of that register the Panchayat shall prepare an assesment list.

(2) One copy of the assessment list shall be posted in a conspicuous place in the village, accompanied by a notice of demand informing the assesseees that an appeal may be filed before the Collector within thirty days of the date of posting of the list in that village. The Collector shall hear and decide all such appeals filed within the said period.

(3) If any alteration is made in the assessment by the Collector as a result of an appeal, the final assessment list showing date of payment as soon as possible thereafter be affixed on the notice board of the Panchayat or shall be proclaimed by beat of drum in the villages of the circle.

(4) One copy shall be forwarded to the Tehsildar, who shall get the realised cess deposited in the Panchayat Fund by realising the same along with the land revenue.

(5) The beginning and end of the year for the imposition and realisation of this tax shall be the same as that for land revenue.

(6) The demand of the above tax and particulars regarding objection will be entered in a register in Form No. 25.

*Rule Regulating Tax on persons practising any profession trade or calling under section 64 (1) (d) and its realisation under section 64 (3).*

26. (1) The following shall be the maximum limits of the tax under Section 64 (1) (d):—

Professions trade, callings.	Maximum rate in rupees.	Duration.
1. Trade conducting mining business	50	every year.
(i) Precious minerals like mica, beryl, emerald talo or soapstone, gypsum, lignite etc.	50	every year
(ii) Stone slabs for roof and floor if they are mined in the Panchayat circle and imported.	20	every year
(iii) Chalk, limestone, building stone, etc. if they are mined from the Panchayat circle and exported.	per cart load one anna per truck twelve annas.	

NOTE:—If the above items except (i) are mined collected and utilised by a cultivator for the construction and repair of his well and house this would not be treated in the category of professions, trade and callings.

2. Broker	4	every year
3. Weighman	3	-do-
4. Contractor	3	-do-
5. Iron smith, carpenter	3	-do-
6. Gold smith	6	-do-
7. Confectioner	3	-do-
8. Crusher of oil seeds	3	-do-
9. Other merchants or traders	6	-do-

(2) Where such a tax is imposed the Panchayat shall, on or before the 15th of January each year, publish a list of persons liable to pay the tax. It shall invite objections up to the 31st January and after hearing the objections if they appear, revise the list if necessary.

(3) Any person aggrieved by the decision of the Panchayat in respect of the said tax given after hearing him may appeal to the Tehsil Panchayat within a period of 30 days from the date of the decision of the Panchayat. He may appeal to the Chief Panchayat Officer if the Tehsil Panchayat has not been established.

(4) The Panchayat shall, after the disposal of appeals, if any, the Tehsil Panchayat or Chief Panchayat Officer as above republish the list according to the orders.

(5) The tax shall be payable in advance for one full year commencing from the 1st April, whether the profession is practised for the whole year or for any part of the year.

(6) A register in Form No. 26 shall be maintained showing the demand and collection of the said tax.

(7) Every person whosoever intends to start or cease any trade business or profession, shall if the said tax is in force give the information in writing to the Sarpanch within 30 days from the date of starting on ceasing of such trade, business or profession.

(8) Every person liable to pay the said tax who changes the name of the firm, alters the type of business, trade or profession, changes the place of his business or transfers his business shall inform the Panchayat in writing within 30 days of such alteration or transfer.

(9) A breach of the duty to give the information prescribed by the provisions contained above shall be punishable with fine which may extend to ten rupees.

**XXV. Rule regarding imposition of building tax under section 64 (1) (e) and its realisation under section 64 (3)**

27. (1) When the Panchayat imposes tax under section 64 (1) (e) then, the Panchayat shall prepare in the following form a list of occupiers, and, where there are no occupiers, a list of owners possessing or owning as the case may be, building situated within the Panchayat area:—

Form			Village		
(i) S.No.	(ii) Name, father's /husband's name, and age of the assessee	(iii) Particulars of buildings occupied or owned by him/her within Panchayat area	(iv) Value of the building	(v) Amount of assessment	(vi) Remarks

(2) The Sarpanch shall having filled in columns (i) to (iii) of the above form and place the list before the Panchayat. At a special meeting called for the purpose the present members of the meeting shall assess the value of the buildings and assess the amount of the tax and fill in columns (iv) and (v) of the above mentioned form.

(3) The following shall be the maximum rates of the said tax:—

Value of buildings	Maximum amount of annual tax
--------------------	------------------------------

	Rs.
Rs. 500/- or below	Nil
Rs. 501/- to 1,000/-	2/-
Rs. 1,001/- to Rs. 2,000/-	3/-
Rs. 2,001/- to Rs. 5,000/-	7/-
Rs. 5,001/- to Rs. 10,000/-	15/-
above Rs. 10,000/-	25/-

Explanation:—For calculating the value of a house, value of the superstructure and the value of the land on which it stands on shall also be taken into account.

(4) This tax shall not be levied on inns, Dharamshalas, libraries, schools, dispensaries, reading rooms and buildings used for religious and charitable purposes. Provided no rent is earned from any part of such building.

(5) The assessment list shall be published by affixing a copy thereof on the notice board of the Panchayat. To this copy shall be affixed a notice inviting objections within 15 days from the date of the publication of the assessment list. A proclamation shall be made by beat of drum in all the villages of the Panchayat area to the effect that the list is published on a particular date and could be inspected at the Panchayat office and that objections could be filed before the Panchayat within 15 days of the date of publication of the assessment list. Notices of assessment shall be sent to non-resident assesseees by post and the period of days for preferring objections in the case of these assesseees shall begin to run from the date of the receipt of the notice by each assessee. The Panchayat shall hear any objections that may be put forward within the said period and the assessment list shall be amended if necessary and signed by the Sarpanch and two Panchas. A copy of the assessment list to be amended shall be posted on the notice board of the Panchayat.

(6) Any person aggrieved by the assessment may appeal to the Tehsil Panchayat within 30 days from the date of republication of the list, or, if Tehsil Panchayat has not been established, then, to the Chief Panchayat Officer.

(7) After the disposal of appeals by the Tehsil Panchayat or to the Chief Panchayat Officer as the case may be the assessment list shall be revised according to the orders in appeal and the revised assessment list shall be published by the panchayat. Such publication shall be by beat of drum.

(8) The above tax shall be realised in advance for the whole year. The year shall be deemed to begin on the 1st April.

(9) When there is a change of ownership or occupation during the year the assessment shall be proportionately divided among the respective occupiers or occupants or both as the case may be. A period of more than 15 days shall be counted as full one month and that of less than 15 days will be omitted.

(10) The demand and collection of the tax imposed under subsection (1) (e) of section 64 shall be entered in a register in Form No. 27. The entries shall be made according to wards.

*XXVI. Rule regarding the regulation of Entertainment Tax under section 64 (1) (f) and its realisation under section 64 (3).*

28. (1) The following provisions shall apply where a Panchayat imposes an entertainment tax.

(2) The Panchayat may appoint any member or employees of the Panchayat for purpose of the collection of the tax by sealing its stamp on the tickets issued by the persons holding the entertainmen

(3) It shall be the duty of the person appointed to realize the tax, to present himself at the time of issuing of tickets and after the sale of the tickets realize the tax by receipts according to the rate imposed by the Panchayat and credit it to the Panchayat fund.

(4) The Panchayat shall arrange for the collection of tax keeping in view the above rules at the time of imposing the tax.

(5) The tax on free passes will also be realized according to the provisions contained above.

(6) The appointed authority of Panchayat may check the tickets in connection with the realization of tax.

(7) The appointed authority of Panchayat shall have free entrance to the premises where the entertainment is held.

(8) The Panchayat shall not realize any tax from such entertainments as have been allowed by the Government on the condition of giving all the proceeds towards any object of public good.

*XXVII. Rule regarding Tax on Vehicles under section 64 (1) (g).*

29. (1) Where a Panchayat imposes a tax on vehicles under section 64 (1) (g), a register in Form No. 28 shall be maintained.

(2) No tax shall be imposed on motor vehicles, as directed by Section 21 of the Rajasthan Motor Vehicles Taxation Act, 1951. But Panchayat may realise rent for the public land meant for Motor Stand.

*XXVIII. Rule regarding the imposition of tax for arranging the supply of drinking water within the Panchayat Circle—section 64 (1) (i).*

30. If the Panchayat imposes the tax under section 64 it shall fix the rate of tax for every family for a specified time keeping in view the expenses incurred in supplying drinking water.

*XXIX. Rule regarding the realisation of Panchayat taxes and dues under section 66.*

*Notes.*

Section 66 of the Act provides that the Panchayat shall in the prescribed manner, arrange for the realisation of panchayat taxes and dues. The rules in this part prescribe the said manner.

31. (1) When any amount is due to a Panchayat by way of Panchayat tax or due, then, unless a different mode of realisation is expressly prescribed by the Act or by any other rule, the following procedure shall be followed.

(2) A bill shall be sent to the person liable. Every bill shall specify the nature of the claim and the period for which it is due. The bill shall be in form No. 29. If the sum for which any bill has been presented as aforesaid is not paid into the Panchayat within fifteen days from the presentation thereof, the Panchayat may cause to be served upon the person to whom such bill has been presented a notice of demand in form No. 30.

(3) If the person on whom a notice of demand has been served does not, within fifteen days from the service of such notice of demand, either pay the sum demanded in the notice or show cause to the satisfaction of the Panchayat why it should not be realised, such sum with all costs of the recovery may be levied under a warrant of attachment caused to be issued by the Panchayat in Form No. 31 for sale of the moveable property of the defaulter.

(4) Every such warrant shall be signed by the Sarpanch, or in his absence by Upsarpanch or the presiding Panch of the Panchayat meeting.

(5) Where the moveable property is in the area under the control of the Panchayat, the warrant shall be addressed to the Secretary or other clerk of the Panchayat. Where the property is within the jurisdiction of another Panchayat the warrant shall be addressed to the Sarpanch of the Panchayat concerned. Where the moveable property is in an area for which there is no Panchayat it may be addressed to the Tehsildar. The Sarpanch of the Panchayat receiving the warrant or the Tehsildar may endorse it to any subordinate officer.

(6) It shall be lawful for any officer to whom such a warrant of attachment is addressed or endorsed, to break open at any time between sun rise and sun set, any outer or inner door of a building in order to effect attachment directed in the warrant, if he has reasonable grounds for believing that such building contains property which is liable to seizure under the warrant and if after notifying his authority and purpose and duly demanding admittance, he can not otherwise obtain admittance;

Provided that such officer shall not enter or break open the door of any apartment appointed for women, until he has given reasonable notice of his intention, and has given such woman an opportunity to remove herself.

(7) It shall be lawful, for any such officer if authorised by the warrant, to attach wherever it may be found any moveable property of the person named in the warrant subject to the registrations given above.

(8) The warrant shall be only for the attachment of such property as is necessary.

(9) The following property shall not be attached by the officer:—

- (a) the necessary wearing apparel and bedding of the defaulter, his wife and children;
- (b) the tools of artizans;
- (c) where the defaulter is an agriculturist, his implements of husbandry, seed grain, food, stuffs for his family for the coming eight months and his cow or calf and filly;
- (d) such ornaments as a woman is prohibited from parting with by custom.

(10) The officer shall on attaching the property forthwith make an inventory thereof before removing the same.

(11) When the property seized is subject to speedy and natural decay, the same be auctioned at once and the proceeds will be deposited as advance.

(12) If even after attachment of the property a defaulter does not pay the Panchayat claim a date shall be fixed for auction of the property. Such date shall be not less than 15 days from the attachment.

(13) If an objection to the attachment is filed within fifteen days, the Panchayat shall investigate such objection. It may postpone the auction if necessary.

(14) If no objection is received within 15 days or if the objections so received are disallowed the property will be sold by public auction on the day fixed therefor and the highest bidder will get the property. The amount of the bid will be realized on the spot.

(15) The surplus if any, remaining after the payment of dues and costs shall be forthwith credited to the Panchayat fund as advance, notice of such credit being given at the same time to the person in whose possession the property was at the time of attachment and if the same be claimed by written application to the Panchayat within one year from the date of the notice, a refund thereof shall be made to such person. Any sum not claimed within one year from the date of such notice shall be forfeited to the Panchayat.

(16) Where the warrant is executed outside the Panchayat circle, the authority issuing the warrant, may by endorsement direct the Sarpanch or Tehsildar as the case may be to hear and decide objections and auction the property. In such cases the Sarpanch or Tehsildar so authorised shall follow the procedure prescribed above and remit the sale proceeds to the Panchayat issuing the warrant after deducting costs of realisation.

(17) Fees for the cost of maintaining any live stock seized under attachment shall be chargeable at the rates fixed for maintenance of cattle in the cattle pounds.

(18) After the payment of the Panchayat claims or the expenditure as to be realized, the receipts shall be tendered to the defaulters.

(19) The members and employees of the Panchayat effecting the recovery shall not bid in an auction held by Panchayat.

(20) If the fine which has been imposed in any administrative matter or judicial case cannot be realized, the fine may be remitted, provided that fines upto Rs. 25/- shall not be remitted without the sanction of the Divisional Panchayat Officer and fines above Rs. 25/- shall not be remitted without the sanction of the Chief Panchayat Officer.

XXX. *Rule regarding inclusion exclusion or transfer of Panchayat areas under section 86 and section 89 (2)*

(XXXVI)

*Notes.*

Section 86 of the Act, dealing with inclusion, exclusion or transfer of panchayat area reads as under—

(1) The State Government may at any time, after one month's notice published in the prescribed manner at the request of the Panchayat of the residents of any Panchayat Circle, village or other area, and by notification in the Rajasthan Gazette.—

(a) include any area in a Panchayat Circle;

(b) exclude any area from a Panchayat Circle; or

(c) transfer any area from one Panchayat Circle to another.

(2) Any area included in a Panchayat Circle under sub-section (1) shall become subject to this Act and all notifications, rules, bye-laws and orders made under this Act in respect of such Circle from the date on which such inclusion is to take effect.

(3) Any area excluded from a Panchayat Circle under sub-section (1) shall cease to be subject to this Act and to all notifications, rules, bye-laws and orders made under this Act in respect of such Circle from the date on which such exclusion is to take effect.

(4) Any area transferred under sub-section (1) from any Panchayat Circle to another shall, with effect from the date on which such transfer is to take effect, cease to be subject to the Panchayat which previously to such transfer has jurisdiction therein and to the notifications, rules, bye-laws and orders applicable thereto. The Panchayat to which such area is so transferred shall exercise jurisdiction therein with effect from the said date and all notifications, rules, bye-laws and orders applicable to the latter Panchayat shall apply to that area.

(5) When any area is transferred under sub-section (1), the State Government shall place at the disposal of the Panchayat to whose jurisdiction such area has been transferred such portion of the property and funds, as it may deem fit, of the Panchayat from whose jurisdiction that area has been transferred.

(6) When an order under sub-section (1) is passed, the State Government shall also, if it considers necessary, order re-elections or confirm the existing Panchayat or Tehsil Panchayat for the altered area.

32. (1) Where a request under section 86 is received from the Panchayat or its residents, the Chief Panchayat Officer shall present a report to the Government thereof with his recommendations. If the proposal is received directly by Government the report of the Chief Panchayat Officer shall be called for.

(2) On receiving the report of the Chief Panchayat Officer, the Government shall publish a notice in the Rajasthan Gazette inviting objections and shall consider objections received within one month and may then give necessary orders.

(3) When a village within the jurisdiction of one Panchayat is transferred to another Panchayat, then pending cases in respect of parties both of whom reside in that village shall be transferred to the Panchayat to which the village is transferred. If the parties reside in different villages, the Panchayat having jurisdiction over the village in which the defendant or accused resides shall try the case.

(4) Where a village is transferred as aforesaid, fines, taxes and other dues to be realised from their residents of the transferred vill-



age shall be realised by the Panchayat to which the village is transferred. A proper entry shall, in such cases, be made in the appropriate register.

(5) On such a transfer of village, immovable property of the Panchayat situated in the transferred village shall become the property of the Panchayat to which the village is transferred, but sale proceeds of such immovable property, realised by sale before transfer, shall be distributed between the two Panchayats in proportion to their population.

*Note.*—For transfer to a Municipality or abolition of a Panchayat, see rules 36 and 37 below.

#### *Notes.*

Chapter IV of the Rajasthan Panchayat Act deals with the judicial powers of panchayats in respect of civil and criminal cases. Rules in parts XXXI, XXXII and XXXIII contain procedure with regard to matters coming under the purview of Chapter IV of the Act.

#### *XXXI Rule regarding procedure in Civil & Criminal cases made under section 91(1).*

33. (1) When a plaint for a civil suit is received, the Sarpanch or Panch receiving it shall record all particulars required for determining territorial jurisdiction description, and valuation.

(2) When a complaint for criminal case is received, the Sarpanch or Panch receiving it shall record the nature of the offence, and if possible, the particulars necessary under section 28 to give jurisdiction to the Panchayat.

The complainant's statement in support of the complaint should if possible be recorded at the time when the complaint is filled. In any case, it should be recorded before the case is registered.

(3) After a civil or criminal case is registered, a summon should be sent to the defendant or the accused (as the case may be) provided the proper fees are paid. A date should be fixed for hearing, and the plaintiff or complainant should be asked to sign in token of receiving intimation of such date.

*Note.*—As regards issue of summons and process fees etc. see rule 35 below.

(4) On the date fixed for hearing in a civil case, the defendant shall, if present, be examined orally, for ascertaining whether he admits the claim. If he admits the whole of the claim a decree shall be passed against him accordingly. If he does not admit the claim, the suit shall proceed. If he admits a part only of the claim, the Panchayat may, if convenient, pass a decree for that part and try the claim for the balance.

Where the trial proceeds, the plaintiff (if he offers himself as a witness) and his witness shall be examined first. Thereafter the defendant (if he offers himself as a witness) and his witnesses shall be examined.

(5) In the trial of the criminal case, the Panchayat shall first explain to the accused the charge or charges made against him and record his reply. If the accused admits his guilt, he may be convicted and sentence passed on him according to law. If he does not admit his guilt or claims to be tried, the trial shall proceed, and the complainant shall be asked to produce the evidence of this witnesses, including himself. The accused shall then be called upon to lead the evidence of his witnesses excluding himself. After hearing the arguments addressed by both the parties, the Panchayat shall deliver judgement.

(6) The examination of the accused in a criminal case, shall be recorded in writting.

No oath shall be administered to the accused.

(7) A party or his witness, whose examination in chief has been completed, may be cross-examined by the opposite party. But the accused shall not be cross-examined.

(8) The Panchayat may, in the interests of justice, call or recall any person, except the accused, as a witness, either of its own motion or on the application of any party. Such a witness may, after he has been examined by the Panchayat, be cross-examined by both the parties.

(9) Before the statement of any person except an accused is recorded, the Panchayat shall administer the following oath to him:--

"I shall state the truth, the whole truth and nothing but the truth. So help me God".

(10) Every judgement delivered by the Panchayat shall be in writing and shall contain in brief the facts, the decision and reasons for it. It shall be signed by the Panchas. The signatures or thumb impressions of the parties present at the time of the decision shall be obtained in token of their having received intimation of the same.

In a civil case, a decree certificate in Form No. 35 should invariably be prepared within 3 days of the delivery of judgement.

(11) Documents which constitute the basis of a suit shall be returned to the party entitled to them, after the close of the suit and the expiry of the period prescribed for appeal, if no appeal has been filed. For sufficient reason, they may be returned before the close of the suit, provided the party files a certified copy to be kept in the file in their place.

Other documents may be returned at any time. Certified copies thereof, shall be filed by the party, unless the case has closed, and no appeal has been filed within the prescribed period.

(12) All documents produced in evidence, shall be endorsed by the Panchayat in suitable words showing the name of the party producing the document, the date of production and number of the case. The endorsement shall be signed by the Sarpanch.

(13) Every Panchayat shall maintain the following registers in respect of its judicial business:—

- (a) a register of civil original cases, in form No 36.
- (b) a register of criminal original cases, in form No. 37.
- (c) a register of miscellaneous cases in form No. 38.
- (d) a register of fines demanded and realised, in form No. 39; and
- (e) a register of notices and summons issued by the Panchayat, in form No. 40.

Note :—As to registers to be maintained by Tehsil Panchayats in respect of appeals (see rule 33 (26)).

*XXXII Rule regarding Inspection of Records of Panchayats, made under section 89 (I).*

34. (1) Any person having a right to inspect a judicial or administrative file of a Panchayat (including a Tehsil Panchayat) shall be entitled to do so, provided he submits an application in writing and pays the prescribed fees.

(2) All inspections shall be made during office hours, and in the presence of at least one Panch.

(3) Pen and ink shall not be used during inspection. Notes may be made in pencil. The person inspecting a record shall not mark, break up or deface the record.

(4) An inspection register in Form No. 41 shall be maintained by every Panchayat.

(5) The inspection of, or issue of copies of, correspondence between a Panchayat and officers of the village Panchayat Department of the Government is strictly prohibited.

*XXXIII Rule regarding issue of summonses to parties and to witnesses, Allowances for witnesses and commissions, made under section 89 (1), section 89(2), (xxii) and section 89(2) (xxiv)*

35. (1) Every summons issued by a Panchayat, whether in a civil or in a criminal case, and whether for the defendant, accused or a witness, shall be in writing, in duplicate and shall be signed by the Sarpanch, or, in his absence, by the Upsarpanch or presiding Panch of the meeting. It shall specify the time and place at, and the date on, which the person is required to attend, and the purpose for which he is required to attend. The form used for the time being by civil courts in Rajasthan for the particular kind of summons may be used, with such variations as may be necessary.

(2) Summonses issued by a Panchayat shall be served by that Panchayat, if the person to be served resides within its jurisdiction. In other cases the summons may be sent for service to the Panchayat within whose jurisdiction such person resides, or if there is no Panchayat for that area, then to the civil court within whose jurisdiction such person resides. Such Panchayat or court shall cause the summons to be served as if it were its own summons, and shall return the duplicate after service to the Panchayat issuing it.

(3) All summonses issued by a Panchayat, or received by it for service, shall be served by its peon. If the person to be served in a civil case is not found, the summons shall be affixed on the main door of the house.

(4) All summonses issued by a Panchayat shall be entered in the Register of summonses in Form No. 40.

(5) The following process fees shall be realised for every summons issued by a Panchayat at the instance of any party, whether the summons is for defendant, accused or witness:—

(a) Where a person to be served resides within the jurisdiction of the Panchayat. Four annas per person to be served;

(b) Where the person to be served resides outside the jurisdiction of the Panchayat—eight annas per person to be served.

(6) In respect of every summons for the attendance of a witness, the following amounts shall be deposited by the party calling the witness (in addition to the process-fee to be paid under sub-rule (5):—

*Daily allowance :—*

(a) For labourers Rupee one a day.

For cultivators, shopkeepers, and persons of the lower middle class. Rupee one and annas eight a day.

For persons belonging to the upper middle class or a higher class. Rupees two a day.

The class of a witness shall be determined in each case by the Panchayat.

(b) Travelling allowance at the following rates :—

*For journey by rail or motor—bus :—*

Third class Railway fare or fare of the lowest class in the motor bus (as the case may be).

*For journeys on foot by horse or car, or bicycle.*

Actual expenses of conveyance, subject to a maximum of 3 annas per mile. A labourer shall not be paid such expenses, unless he is unable to reach the Panchayat on foot on account of old age or other reasonable cause.

(c) Government servants called to give evidence in their official capacity shall be paid daily allowance and travelling allowance at the rates which they get when they travel on official duty.

(7) Expenses of a witness under sub-rule (6) shall be deposited before the summons is issued.

(8) Witnesses called by a Panchayat of its own motion shall be paid at the rates mentioned in sub-rule (6) out of the Panchayat Fund.

(9) A register in form No. 42 shall be maintained by every Panchayat in respect of expenses to be paid to witnesses.

(10) Where a witness cannot come to the Panchayat Office on account of old age or infirmity or is a woman who does not appear in public or is otherwise unable to come to the Panchayat Office or reasonable cause, the Panchas may appoint one of its members as a commissioner to record the statement of the witness, at the residence of the witness or such other place as may be fixed by the Panchayat. The statement so recorded may be read as evidence in the case, unless the Panchayat orders otherwise in the interests of justice.

(11) The following fees shall be charged for a commission issued under sub-rule (10) :--

(a) Rs. 2/- per day for fees of the Panch appointed as Commissioner. If more than 5 persons are to be examined, an extra fee of Rs. 2/- per day shall be charged.

(b) Annas 12 per day for fees of the clerk, and annas 4 per day for fees of the peon, where the clerk or peon accompanied the Pancha.

(c) If the party applying for the issue of a commission does not make any proper arrangements for conveyance, the following further fees shall be charged for travelling expenses.

Third class railway fare for rail journey, or Bus fare of the lowest class for bus journey, as For the Pancha appointed as Commissioner and for the clerk or peon accompanying him.

or

3 annas per mile of distance travelled by horse, cart or bicycle or on foot, as the case may be.

(12) The fees for commissioner prescribed by sub-rule (11) shall be deposited in advance by the party applying for the commission. The fees shall be credited in the Panchayat accounts at the time of deposit, and debited when paid. If the Pancha does not proceed to record the statement, the fees shall be refunded.

*XXXIV. Rule regarding proceedings consequential on the abolition of Panchayats by amalgamation of villages with other Panchayat or Panchayats made under section 89(1) and section 89(2) (xxxv).*

36. When a Panchayat is abolished (1) the provisions of rule 32, sub-rules (3) (4) and (5) shall apply in respect of pending cases, realisation of fines, taxes and other dues, and immovable properties and sale proceeds of immovable properties;

(2) Other surplus assets shall be distributed amongst the Panchayats to whom the villages of the abolished Panchayat are transferred, in proportion to their population;

(3) decided files and records as well as current registers of the abolished Panchayat shall be transferred to the Panchayat with which the majority of the villages of the abolished Panchayat are amalgamated, a note being made to that effect in the current register; and

(4) employees of the abolished Panchayat shall be treated as discharged from service from the date of the completion of the final winding up of the abolished Panchayat.

*XXXV. Rule regarding proceedings consequential on the inclusion of the whole or part of the area of a Panchayat within a Municipality, made under section 89 (2) (xxxvi).*

37. (1) When the whole area of a Panchayat is placed within a municipality whether by the creation of a new Municipality or by the transfer of that area to an existing municipality than the following provisions shall apply :—

(a) the assets and liabilities of that Panchayat shall become the assets and liabilities (or the Municipal Board Municipal Council, Corporation of similar authority) concerned, except court fees and fines, which shall become payable to the civil or criminal court (as the case may be) for the area of the Panchayat; and

(b) Administrative files, including; files relating to village administration, shall be transferred to the Municipal Board (or Municipal Council Corporation or similar authority) concerned, and judicial files shall be transferred to the civil or criminal court ( as the case may be ) for the area of the Panchayat.

(2) Where only some of the villages of a Panchayat are placed within a municipality and the other villages remain the existing Panchayat whether continued by the same or by a different name, then the following provisions shall apply :—

(a) Pending judicial cases shall be transferred to the civil or criminal court having jurisdiction over the village in which the defendant or accused resides except where the village has been retained with the existing Panchayat ; non judicial files of transferred villages shall be transferred to the Municipal Board (or Municipal Council, Corporation or similar authority concerned:

(b) fees, taxes and other dues to be realised the Panchayat from the residents of the villages placed with a Municipality shall be realised by the Municipal Board (or Municipal Council, Corporation or similar authority) having jurisdiction over the village concerned except court fees and fines, which shall be realised by the civil or criminal court (as the case may be) to which the case is transferred;

(c) immovable properties of the Panchayat, situated in villages placed within a Municipality, shall become the property of the Municipal Board (or Municipal Council, Corporation or similar authority) concerned, but sale proceeds of such immovable properties, realised by sale before the villages were so placed, shall be distributed between the Panchayat the said Municipal Board (or Municipal Council, Corporation or similar authority) on proportion to their population; and .

(d) other assets and liabilities of the Panchayat shall be the assets and liabilities of the Panchayat continued for villages not transferred;

Provided that the Chief Panchayat Officer may, where he thinks that the villages placed within the municipality constituted a considerable portion of the whole area of the Panchayat, order that a proportion of the assets and liabilities of the Panchayat shall be transferred to the Municipal Board (or Municipal Council, Corporation or similar authority) concerned.

(3) Where, along with the transfer of villages to a municipality, any villages of a Panchayat are transferred to another Panchayat, then, in respect of those village, the provisions of rule 32, sub-rules (3) (4) and (5) shall apply.

*Rule regarding sale of Abadi Lands made under section 89 (2) (XI)*

37-A (1)—This rule applies to the sale of Abadi land within the jurisdiction of the Panchayat, which belongs to the Panchayat or over which the Panchayat has the power of disposal under law.

2. A person desirous of purchasing Abadi land from the Panchayat shall make an application to the Panchayat.

3. The applicant shall deposit a sum of Rs. 2/- with the Panchayat towards the expenses of the preparation of a plan of the land. The Panchayat shall then open a file of the case, make entries in the register in the Form No. 42A and get a plan in Form No. 42B prepared by a competent person. The remuneration to be paid to such person shall be met out of the deposit of Rs. 2/- made by the applicant, and the balance, if any, shall be returned to the applicant. If there is any deficiency, it shall be made good by the applicant, failing which the application shall not be considered.

4. After the plan is ready the Panchayat shall by its resolution nominate not more than 3 of its members for holding local inspection of the site, for which no fee shall be charged.

5. The members nominated under sub-rule (4) shall submit their opinion to the Panchayat as to the desirability of the sale of Abadi land, after taking into consideration the following matters;—

- (a) whether the sale of the land will affect the facilities for going and coming enjoyed by the villagers;
- (b) whether the sale of the land will affect the rights of easements owned by any other persons;
- (c) whether the sale of the land will affect the beauty and cleanliness of the village;
- (d) such other matters as may appear to be relevant.

6. The Panchayat shall then at a meeting provisionally decide whether the proposed sale should be held and shall, if it decides that the sale should be held, publish a notice inviting objections in Form No. 42C, for the hearing of which at least one month's time shall be

given. The notice shall be prepared in duplicate and one copy shall be affixed to a conspicuous place on the land proposed to be sold, the other copy being returned to the Panchayat after obtaining the signatures of at least 2 respectable persons of the village thereon, in token of affixation to the first copy as aforesaid.

Note.—The Panchayat need not issue a notice in the following cases;—

- (a) if the land is already entered in the register of Khalsa land;
- (b) if the land has been adjudged to be Khalsa by any judicial decision;
- (c) if land outside Abadi area has been included in the Abadi area and is going to be sold.

7. The objection, if any, received under sub-rule (6) shall be disposed of by the Panchayat after giving the parties concerned a reasonable opportunity of being heard.

8. If no objections are received under sub-rule (6) within one month, or if all the objections so received have been dismissed, the Panchayat shall by its resolution fix a date, time and place for holding an auction of the land proposed to be sold, such date being not earlier than one month from the date of the resolution. This notice shall be in Form No. 42D. When the auction is held, a memorandum of its proceedings shall be prepared in the Form No. 42E for record.

(9) When the auction is held, the land shall, subject to the other provisions of this rule, be knocked down to the highest bidder, who shall deposit 10 per cent of the amount of the bid immediately, failing which the land shall be resold forthwith. The balance shall be deposited by the bidder within two months from the date of the auction, failing which the land shall be resold after fixing a fresh date, time and place for auction.

(10) When the full amount of the bid has been deposited under sub-rule (9), a sale deed of the land shall be executed on behalf of the Panchayat in Form No. 42F, and a record of the said deed shall be kept by the Panchayat in a Register (Patta Bahi) to be maintained in the Form No. 42G.

11. Whenever land is resold under sub-rule (9), the deficiency in price if any, shall be recovered as Panchayat dues from the highest bidder as the first auction owing to whose default the resale had to be held.

12. The acceptance of the highest bid shall be subject to confirmation by the Panchayat which may refuse to accept a bid which does not fetch the full value of the land to be sold. In such cases the amount equal to 10% of the bid deposited by the highest bidder shall be returned to him without interest. The decision whether the acceptance of the bid should be confirmed or not shall be taken by the Panchayat at a meeting to be held not later than 15 days



from the date of auction, and if no such decision is arranged at within the aforesaid time, the acceptance of the bid shall be deemed by the Panchayat.

13. All auctions under this rule shall be held by or under the supervision of the Sarpanch.

14. Where the land to be sold is situated at the headquarters of the Village Panchayat or of the Tehsil Panchayat, the auction shall be held for at least for 2 days. Elsewhere it may be held for one day.

15. The fact that the objections of any person to the proposed sale of land have been dismissed by the Panchayat under this rule shall not be regarded as amounting to an adjudication regarding title to the land. Objections are to be invited merely in order to save the parties from the expenses and trouble of un-necessary litigation.

16. When a plan is prepared of the land to be sold it shall describe the boundaries of the land and the land to be sold shall be shown in red ink, and the signature of the applicant for sale as well as of the person who prepared the plan shall be obtained on the plan and the scale on which the plan is prepared shall also be entered thereon.

17. The Panchayat may sell abadi land by private sale (that is, without holding an auction) in the following cases—

- (a) where any person has a plausible claim of title to the land and an auction may not fetch reasonable price;
- (b) where for reason to be recorded in writing the Panchayat thinks that an auction would not be a convenient mode of disposal of the land;
- (c) in the cases proved for in sub-rules (18) and (19).

18. Where any person appears to have been in possession either by himself or through his predecessors in title for 40 years or more consecutively, though he has no sale deed in his favour, the Panchayat may execute a sale deed in his favour of the land for an amount equal to  $6\frac{1}{2}\%$  of the normal value of the land. Such sale deed shall not be charged regarded as affecting the rights of any other person in or to or over the land.

Note.—In assessing the amount equal to  $6\frac{1}{2}\%$  as aforesaid, annas or fraction of annas shall be rounded off to the next eight annas or rupee.

19. If the Panchayat regards such course to be necessary for the advancement of Scheduled Castes, Scheduled Tribes or other Backward Classes it may grant them abadi land without Nazrana, or sale such land to them without auction.

20. No transfer of ownership in abadi land by the Panchayat, whether by sale by auction or private contract or by grant thereof, shall be legally valid if the land exceeds Rs. 100/- in value, unless the approval of the following authorities is obtained:—

if the land exceeds Rs. 100/- in value but does not exceed Rs. 400/- in value, the approval of the Divisional Panchayat Officer;

if the land exceeds Rs. 400/- in value but does not exceeds Rs. 700/- in value, the approval of the Chief Panchayat Officer, Rajasthan; and

if the land exceeds Rs. 700/- in value, the approval of the State Government.

21. No transfer of ownership in Abadi land belonging to the Panchayat shall be valid unless it is in accordance with this rule.

22. Where Abadi land formerly in the possession of the Revenue Department of the State Government and transferred to the Panchayat under order No.F.I (d) (36) LSG/54, dated 18th February, 1955 of the State Government is sold, the income derived therefrom shall be utilised only in accordance with the provisions of that order, that is to say, in public works such as improvement of roads bunds and wells etc., shall not be used for day to day expenditure on administration etc. Separate accounts of the expenditure incurred out of such income shall be maintained by the Panchayat.

#### Notes

Rule 37 A alongwith forms 42 A, 42 B, 42 C, 42 D, 42 E and 42 F have been newly added vide amending Notification No. F. 1 (a) (36) L.S.G/54 dated 29-7-55, published in Rajasthan Rajpatra, part IV (c), dated 17-9-55.

### *XXXVI Rule regulating the publication of Bye-Laws under section 91 (2).*

#### Notes.

Sub-section (1) of section 91 empowers the panchayat to frame bye-laws for matters referred therein. Sub-section (2) of section 91 requires the publication of bye-laws and hearing of objections there to Rules in the part prescribes the manner of such publication.

38. (1) The Panchayat, before making bye-laws shall publish a draft of the bye-laws by affixing it in certain conspicuous places in the Panchayat circle as well as outside the office of the Panchayat and shall invite objections within a specified period. Objections received within such period shall be considered.

(2) The bye-laws as sanctioned by the Chief Panchayat Officer shall come into force after they have been published in the same manner as their draft was published.

By Order of  
His Highness the Rajpramukh,  
S. L. KAKAR,  
Secretary to the Government.

## FORM No. 1

See Rule 4 (5)

Register of Attendance of Panchas and Business

Transacted at Meetings.

S. No.	Date of meeting.	Panchas present.	Detail income and Expenditure since last meeting.	Business transacted at the present meeting.		Signature of Panchas present.	Remarks.
				Subject	Substance in brief		
1	2	3	4	5	6	7	8

## FORM No. 2

( See Rule 4 (14) )

Order book Village Panchayat ..... Tehsil ..... District  
year ..... 19 ..

Serial No.	Date of order	Order	Remarks.
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## FORM No. 3

See Rule 5 (10)

Form of Character Roll Village Panchayat ..... Tehsil .....  
District .....

1. Name.
2. Father's name.
3. Caste.
4. Place of residence.
5. Date of birth.
6. Educational qualification.
7. Appointment.
8. Pay.
9. Date of appointment.

Remarks by superior Officers.

Good remarks of rewards etc.	Bad remarks or fine etc.

FORM No. 4.  
See Rule 5 (10)  
List of Establishment Village Panchayat.....Tehsil.....District.....Year 19.....

S. No.	Date of Appointment	Name	Father's Name	Caste	Residence	Post	Remarks.
1	2	3	4	5	6	7	8

FORM No. 5.  
See Rule 8 (1).  
Register of properties belonging to Village Panchayat.....Tehsil.....District.....Year 19.....

S.No.	Date of acquisition of property	Description of property	Cost	Purpose for which used	Annual income if any	Remarks.
1	2	3	4	5	6	7

FORM No. 6.  
See Rule 9 (4).

Register for the Registration of Deaths-Village Panchayat .....Tehsil.....District.....Year 19.....

S.No.	Date of death	Male or female	Name of deceased and name of his/her father husband, caste and place of residence	Age on the day of death	Cause of death	Name of person giving information with place of residence	Signature of person informing	Remarks
1	2	3	4	5	6	7	8	9

## FORM No. 7.

See Rule 9 [4]

Register for the Registration of Marriages-Village Panchayat.....Tehsil.....District.....Year.....19...

S. No.	Date of marriage	Name, father's name, caste and place of residence and age of bridegroom	Name, father's name, caste and place of residence and age of bride	Name, father's name, caste and place of residence of the person informing	Signature of person informing	Remarks.
1	2	3	4	5	6	7

## FORM No. 8

See Rule 9 [4]

Register for the Registration of Births-Village Panchayat.....Tehsil.....District.....Year 19 .

S.No.	Date and time of birth.	Boy or Girl.	Name of child if any.	Description of parents name, caste and place of residence.	Name of person reporting Birth and place of residence.	Signature of person reporting.	Remarks.
1	2	3	4	5	6	7	8



FORM No. 10  
(See Rule 13(1)(a)(ii))

Receipt for the entry of Animal (in two foils)

Book No.....  
Serial No ..... Dated the.....19  
Name of Kine House . . . . . Village Panchayat .....

Date of time of entry of the animal	Name and place of residence of the individual entering the animal.	No. of animal admitted and description, class etc.	Name and place of the residence of the owner if is known.	Remarks.
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Signature of Sarpanch.

FORM No. 11  
(See Rule 13(1)(a)(iii))  
Pass for the Release of Animal from kine house.  
( To Be Issued )

Book No.....  
Serial No..... Dated the.....19  
Name of Kine house ..... Village Panchayat.....

Date and time of entry of the animal	Date and time of release of the animals	No. of animals and description	Name and place of residence of individual taking the animal	Fine realized	Grazing fee realized	Any other recovery	Remarks.
1	2	3	4	5	6	7	8

## FORM No. 11

(See Rule 13(1)(a)(iii))

Pass for the Release of Animal from Kine house,  
( To Be Kept in the Panchayat )

Book No.....

Serial No.....Dated the.....19 .....

Name of Kine house.....Village Panchayat .....

S. No. of the kine house register	Date or time of release of the animal	amount of fine	Grazing fee	Any other recovery	Remarks.
1	2	3	4	5	6

Total including previous total

Signature of Kine house clerk.

## FORM No. 12

(See Rule 13(1)(a)(iv))

Details of sale of the Animal

Book No.....

Serial No.....Dated the.....19 .....

Name of kine house.....Village Panchayat.....

Kine house regis- ter No.	Description quantity & class of ani- mals admit- ted in the kine house.	Duration for which animal remained under custody in kine house.	No. of ani- mals sold description and class.	Sale proceeds	Expenditure in- curred feeding charges expenses in connection with sale fine etc.	Balance of sale pro- ceeds less any expe- nses incur- red.	Amount handed over to the owner of the animal.	No. of animal han- ded over to the owner or auctioned their description and class.
1	2	3	4	5	6	7	8	9



FORM No. 12  
(See Rule 13 (14))  
Receipt to be given to the purchaser of animal

Book No... .. Dated the ..... 19 ..  
Serial No ..... V. Panchayat.....  
Name of kine house ..... V. Panchayat.....

Kine house register No.	Description of animal & class	Identification mark or appearance	Name of purchaser of animal and place of residence	Cost at which animals were sold by Auction	Remarks
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Signature of Purchaser of animals

FORM No. 14  
(See Rule 16(9)(a))  
Library Catalogue.....Library.....Tehsil.....District.....Year.....19....

S. No.	Date of receipt of Book.	Source of receipt of Book.	Name of Book.	Name of Author.	Cost.	No. of pictures	Page No.	Details of deficiency.	Remarks
1	2	3	4	5	6	7	8	9	•10

FORM No. 15  
(See Rule 16(9)(b))  
Catalogue of News/papers.....Library Village Panchayat.....Tehsil.....District.....Month.....19....

S. No.	Descriptions of News/papers.	Daily, Weekly fortnightly, monthly.	Remarks.
1	2	3	4

## FORM No 16.

(See Rule 16(9)(c))

Register of Attendance of Readers.....Library..... Village Panchayat..... Tehsil..... Distt.....Month ....195

S. No.	Name of readers	Signature of readers	Total	Remarks.
1	2	3	4	5

## FORM No. 17.

(See Rule 16(9)(d))

Register for the Issue and Receipt of Books.....Library..... Village Panchayat..... Tehsil.....

District .....19...

S. No.	Name father's name and place of residence of the individual taking the book	Name of book	Cost.	Signature of individual taking the book.	Date of receipt of book	Fine if any realized	Signature of individual paying the fine	Signature of Librarian	Ref. of depositing the fine in cash Book & receipt.	Signature of sar-panch	Remarks.	Dated
1	2	3	4	5	6	7	8	9	10	11	12	13

## FORM No. 18.

(See Rule 16(9)(e))

Stook register Library..... Village Panchayat..... Tehsil . ..... District..... 19....

S. No.	Name of Article.	Place of purchase.	Previous Balance on 1-4-19	Receipt.	Value of stock in hand.	Cost of articles purchased.	Total	Shortage			Balance on 31			Value of stock in hand	Remarks
1	2	3	4	5	6	7		Shortage	Unfit for use	Total	Fit for use	Unfit for use	Total	15	16
								9	10	11	12	13	14	15	16

## FORM No. 19.

(See Rule 18 (6))

## Register of Applications for Execution

Village Panchayat..... Tehsil..... District..... Year.....

Serial No.	No. and year of original suit.	Name of Decree-holder	Name of Judgment Debtor	Relief prayed for	Mode of execution by which disposed of	Whether execution obtained in full or in part	Remarks.
1	2	3	4	5	6	7	8

FORM No. 20  
(See Rule 18 (7) )

First Notice for Execution of Decree Village Panchayat.....

Tehsil.... District... Case No .. Year 19.....  
 ... .. Versus ... ..  
 ... ..  
 Amount of the Decree... ..  
 Addressed to Shri... .. son of ..  
 Resident ... ..  
 As Shri.... .. son of.... ..  
 residence of.... .. has applied for the execution of  
 decree in case No... .. year 19.....

You are hereby ordered to pay the total decreed amount to.....

.....within one month under intimation to the Panchayat.

Given under my hand and seal this day the... ..19.....

Signature of Sarpanch.

FORM No. 21  
See Rule 18 (11)

Warrant for Attachment of Movable Property Village

Panchayat .. Tehsil ... District....  
 Note If The Case No ..... Year 19.....  
 Addressed to... ..

... ..  
 ... ..  
 ... ..

Decreed amount... ..

In civil case No .. for the year 19... this Panchayat  
 passed a decree dated 19 .. and accordingly the defendant was  
 ordered that he should pay Rs .. to the plaintiff.....  
 but he did not pay the amount. You are hereby ordered in accordance  
 with Rule No... to attach moveable property of the judgement  
 debtor to be pointed out by the decree holder (except property  
 exempt from attachment). If the defendant produces security for  
 the decreed amount the proceedings of attachment be held up on  
 taking the security; otherwise the property be taken under possession  
 and until any other order is received from the panchayat the pro-  
 perty be kept under custody and this warrant be submitted on  
 .... day of 19.... with particulars of execution.

Given under my hand and seal this day the... ..19....

Signature of Sarpanch.

## FORM No. 27

See Rule 27 (10).

Register of Demand and Collection of Tax Assessed under section 64 (I) (e) Village Panchayat.....  
 Tehsil..... District..... Year 19 .

S. No	Name of tax payer.	Rate yearly/ monthly.	Balance due previous year.	Total.	Details of amount paid with receipt No. and date and page of cash book.	Remarks.
1	2	3	4	5	6	7

## FORM No. 28

See Rule 29 (1)

Register of Demand and Collection of Tax Assessed under Section 64 (I) (g).

S. No.	Name of tax payer.	Rate yearly/ monthly.	Balance due of previous year.	Total.	Details of amount paid with receipt No. date and; page of cash book.	Remarks.
1	2	3	4	5	6	7

FORM No. 29  
(See Rule 31 (2) )

Bill (Notice) to pay Panchayat dues.  
Village Panchayat .....Tehsil.....District.....  
dated the.....19.....  
Case No.....year 19....

T  
.....

PARTICULARS

.....  
.....  
.....

In the above case a sum of Rs..... is due from you and you  
are hereby informed that the outstanding amount be paid in the  
Panchayat within... ..days.  
Given under my hand and seal this day the.....19... ..  
Signature of Sarpanch.

FORM No. 30  
(See Rule 31 (2) )

FORM OF DEMAND OF PANCHAYAT DUES

Village Panchayat .....Tehsil.....District.....  
dated the .....19 .....

Case No.....year 19....

To  
.....

PARTICULARS

.....  
.....  
.....

In the above case a sum of Rs..... is due from you and in  
spite of ..... ..days notice you did not deposit the outstanding;  
hence you are hereby ordered to deposit the above amount within....  
days failing which your moveable property will be taken under  
custody and action for the realization of dues will be taken.

Given under my hand and seal this day the.....19.....

Signature of Sarpanch.

FORM No. 31

(See Rule 31 (3) )

WARRANT FOR REALISATION OF DUES

Village Panchayat.....Tehsil..... District.....  
Case No... ..year 19.....

DESCRIPTION

.....  
.....  
.....

To

.....  
In the above case a sum of Rs..... is due from  
Shri ... s/o.....  
resident of .....and the same has not been paid  
in spite of notice and demand form and the time limit of 15 days has  
also expired. In pursuance of rule No....under Section  
66 of the Rajasthan Panchayat Act, 1953 you are hereby authorised  
to take under attachment the moveable property of.....  
excluding the articles exempted by law and produce the same before  
the Panchayat/attach and sell the said moveable property according  
to law and deposit the sale proceeds in the Panchayat.

Given under my hand and seal this day the.....19.....

Signature of Sarpanch.

(See Rule 22 (26)).

Register of Civil Appeals..... Village Panchayat..... District..... Year 19.....

[illegible]



## FORM No. 33.

( See Rule 22 (26) )

Register of criminal appeals.....Village Panchayat.....District.....Year 19 .

S. No.	Date of admission of appeal.	Particulars.			Date of decision.	Brief substance of decision.	REMARKS.
		Appellant.	Respondent.	Details of appeal.			
1	2	3	4	5	6	7	8

## FORM No. 34

( See Rule 22 (26) )

Register of Administrative and Miscellaneous Appeals Tehsil Panchayat.....District.....Year 19 .

S. No.	Date of admission of appeal.	Details.		Date of decision.	Brief description of decision.	REMARKS.
1	2	3		4	5	6

FORM No. 35  
( See Rule 33. )  
Decree Certificate.

Village Panchayat.....Tehsil.....District.....File No.....Year.....  
.....  
.....Plaintiff.....Defendant.

Claim for.....

This suit coming on this.....day of.....for final disposal before the Panchayat.....it is ordered that.....  
Costs in the case.

Plaintiff.		Defendant.	
	Rs.	A.	P.
1. Court fee and application fee			
2. Allowance for witnesses			
3. Commission fee			
4. Service of notices			
5. Miscellaneous			
Total.			Total.

Given under my hand and the seal of the Panchayat this.....day of.....

SEAL.

Signature of Sarpanch.

## FORM No. 36

( See Rule 33 ).

Register of Civil Original Cases Village Panchayat.....Tehsil.....Year.....

Serial No.	Date of institution	Particulars.		Date of decision.	Brief substance of the decision.	Remarks.
		Plaintiff	Defendant			
1	2	3	4	6	7	8

## FORM No. 37.

(See Rule 33).

Register of Criminal original cases, Village Panchayat.....Tehsil.....Year.....

Serial No.	Date of institution.	Particulars.			Date of decision	Brief substance of decision	Date of realisation of fine and serial No. in the Register of Fines (in form No. 39).	Remarks.
		Complainant.	Accused.	Offence.				
1	2	3	4	5	6	7	8	9

## FORM No. 38

( See Rule 33.)

Register of Miscellaneous cases. Village Panchayat.....Tehsil.....Year.....

Serial No.	Date of institution	Particulars	Date of decision	Brief substance of the decision	Date of realisation of fines etc. with serial No. of register of fines	Remarks.
1	2	3	4	5	6	7



FORM No. 40  
See Rule 33.

.....

Register of summonses and notices issued or sent by village Panchayat.....  
Tehsil.....  
Year.....

Serial No.	Case No.	Name, Father's name and address of person for whom summons or notice issued	Process for realised	Date on which summons or notice send	Person sent for servicing the summons or notice.	Date of Return	Remarks.
1	2	3	4	5	6	7	8

## FORM No. 41

(See Rule 34)

Register for the inspection of files village Panchayat.....Tehsil.....District.....for the year.....

Date	Signature and Name of the applicant	Proceeding or records which inspection is sought	Why inspection is desired	Signature of Panch present	Time occupied in inspection		Amount realised as fee.			REMARKS.
					From	To	Rs.	As.	Ps.	
1	2	3	4	5	6	7	8	9	10	11

## FORM No. 42

(See Rule 35.)

Register of expenses to be paid to witnesses Village Panchayat...

Register of expenses to be paid to witnesses Village Panchayat... ..Tehsil... ..District... ..for the year 19.....																			
1	2	3	4			5	6	7	8			9	10	11	12	13	14	15	16
Serial No.	Date of deposit	File No. with year and	Plaintiff/complainant	Particulars		Particulars of Plaintiff offence	Name of the individual for whom amount is deposited.	Daily allowance	Travelling ex-penses	Total	Signature of Individual depositing the amount	Reference to page of cash book where in the amount is credited.	Date of withdrawal of amount from the cash book.	Names of the individual to whom amount is paid	Acknowledgement of the Payee	Signature of Sarpanch.			
				Defendant/Accused															

## FORM No. 42 A.

(See Rule 37 A 13). )

Register of Sale of Abadi Lands.

S. No.	File No. and year.	Date of opening of file	Subject of the file.	Date of decision.	Substance in brief of the order	Remarks.
1	2	3	4	5	6	7



FORM No. 42 C.

See rule 37 A (6).

Notice inviting objections regarding proposed sale of Abadi land.

From Village Panchayat.....Tehsil... ..District.....  
To .....S/o ..... resident of.....  
.. ....File No .....

Notice is hereby given to you that Shri. ....  
S/o.....resident of.....has applied to this Panchayat  
for purchasing the land described below:—

(Description of land)

If you have any objections to the sale of the above-mentioned  
land, you should file your objections within one month of the date  
hereof.

Seal of Panchayat.

Signature of Sarpanch.

FORM No. 42 D.

(See rule 37 A (8). )

Notice of Auction.

Village Panchayat .....Tehsil .....District.....  
File No.....Year.....

The following Abadi land of the Panchayat will be sold by  
public auction on the .....day at .....A. M. at.....  
(place of auction) by this panchayat, pursuant to the application of  
Shri.....S/o.....resident of ..... ..for  
purchase thereof. Persons desirous of bidding should come at the  
above-mentioned time and place.

10 per cent of the amount of the bid will have to be deposited  
on the spot.

(Description of land).

Seal of the Panchayat.

Signature of Sarpanch.



## FORM No. 42 E.

(See Rule 37 A (8))

## Memorandum of Auction.

Date	Name, Parentage and residence of each bidder.	Amount of bid.	Signature of bidder.	Remarks.	Certificate by two responsible persons.
					<p>This auction was held in our presence.</p> <p>The memorandum contains a true record of the proceedings. The highest bid was of Shri..... for Rs.....</p> <p>(Signature of two respectable persons).</p>

FORM No. 42 F.

( See rule 37A (10). )

SALE DEED OF ABADI LAND.

Form of sale deed of Abadi land purchased by the purchaser at an auction sale.

This DEED OF SALE is made on the..... day of ..... Between..... Panchayat established or deemed to be established under the Rajasthan Panchayat Act, 1953 (Rajasthan Act XXI of 1953), being a body corporate by virtue of the provisions of section 87 of that Act, (hereinafter called "the Vendor") of the one part AND..... S/o ..... resident of ..... (hereinafter called "the Purchaser") of the other part.

Whereas—

1. The land described in the Schedule hereto and more Particularly described in the plan annexed hereto which shows it as bounded in red, vests in the Vendor for the purpose of the Vendor;

2. The said land was put up to auction for sale on behalf of the Vendor on.....day of..... (pursuant to the application of Shri..... for purchase of the land) and the Purchaser's bid of rupees ..... being the highest was accepted, and has been confirmed by the Resolution No .....dated..... of the Vendor Panchayat and by order No ..... dated.....of the Divisional Panchayat Officer order No.....dated.....of the Chief Panchayat Officer order No.....dated.....of the Government of Rajasthan ;

3. The said auction was held in accordance with rule 37 A. of the Rajasthan Panchayat (General) Rules, 1954 as amended upto date; and

4. The Purchaser has deposited the said sum of rupees .....to the credit of the Vendor ;

Now this deed witnesses as follows:—

1. In pursuance of the said auction sale and in consideration of the sum of rupees .....paid by the Purchaser as aforesaid (the receipt whereof the Vendor hereby acknowledges), the Vendor hereby transfers to the Purchaser the land described in the Schedule hereto and more particularly described in the plan annexed hereto which shows it as bounded in red. To Hold the same to the Purchaser as absolute owner subject to the payment of such cesses and taxes as may be lawfully assessed or imposed thereon and subject to the restrictions imposed by the Rajasthan

Panchayat Act, 1953 and rules and bye-laws made thereunder as for the time being in force.

It is hereby agreed that the expression "the Vendor" hereinbefore used includes the successor and assigns of the Vendor. and the expression "the Purchaser" hereinbefore used include his heirs, representatives, successors, and assigns.

(Schedule and Plan to be annexed).

Signed on behalf of.....  
Panchayat in pursuance of resolution No... ..  
dated.....of that Panchayat.

Signature of Sarpanch.

Witness I.....

Witness II.....

Signed by the Purchaser.

Witness I.....

Witness II.....

*Published in Raj. Raj-patra part IV (c) dated September 28, 1959 at page 559.*

Development Department

(Panchayats)

## NOTIFICATIONS

*Jaipur, September 26, 1959.*

No. F. 4 (138) LSG-A/58/1318.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Act No. XXI of 1953), the State Government hereby makes the following amendments in the Rajasthan Panchayat (General) Rules, 1954, namely:—

(1) In sub-rule (2) of Rule 3, for the words 'Divisional Panchayat Officer', the words 'Collector of the District' shall be substituted.

(2) In sub-rules (6) and (7) of rule 5, for the words 'Chief Panchayat Officer', the words 'Panchayat Samiti having jurisdiction' shall be substituted.

(3) In sub-rule (9) of rule 5, for the words 'Chief Panchayat Officer' wherever they occur, the words "Panchayat Samiti having jurisdiction" shall be substituted.

(4) In sub-rule (18) of rule 13 for the words 'Chief Panchayat Officer, Divisional Panchayat Officer, District Inspector or Assistant Inspector' the words 'Pradhan of the Panchayat Samiti having jurisdiction' shall be substituted.

(5) In sub-rule (18) of rule 13, for the words 'District Inspector and the Assistant Inspector' the words 'Pradhan of the Panchayat Samiti having Jurisdiction' shall be substituted

(6) In sub-rules (5) and (13) of rule 16, for the words 'Divisional Panchayat Officer', the words 'Panchayat Samiti having jurisdiction' shall be substituted.

(7) In sub-rule (20) of rule 31, for the words 'provided that fines up to Rs. 25/- shall not be remitted without the sanction of the

Divisional Panchayat Officer and the fines above Rs. 25/- shall not be remitted without the sanction of the Chief Panchayat Officer', the words 'with the sanction of the Collector of the District' shall be substituted.

(8) In sub-rules (1) and (2) of rule 32 for the words 'Chief Panchayat Officer' wherever they occur, the words 'Collector of the district' shall be substituted.

*Published in Raj. Raj-patra part IV (c) dated April 14, 1960 at page 4-6*

Development Department (Panchayats)

## NOTIFICATION

*Jaipur, February 15, 1960.*

No. F. 4/LJ/2/6/60.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Act No. 21 of 1953), the State Government hereby makes the following amendments in the Rajasthan Panchayat (General) Rules, 1954, namely:—

### *Amendments*

After rule 5 of the said rules, the following rule shall be inserted with the mid heading as given below—

Rules regarding holding of meetings of adult residents of Panchayat circle under section 23-A

5-A. (1) *Meetings of residents of Panchayat circle to convened by Sarpanch or Up-sarpanch.*—The sarpanch or, in his absence, the Up-sarpanch of a Panchayat shall convene at least two half yearly general meetings of all the adult residents of the Panchayat Circle in the months of May and October respectively which shall ordinarily be held in the village where the office of the Panchayat is situated.

(2) *Publication of notice of meeting.*—Notice of the day and hour of the meeting, as also stating the business to be transacted thereat, shall be published at least fifteen days previous to the day of the meeting by—

(i) affixing the same at one or more conspicuous places in every village of the Panchayat circle, and

(ii) making an announcement of such meeting by beat of drum in every village of the Panchayat Circle.

(3) *Meeting to be presided over by the Sarpanch, Up-sarpanch or any other Panch chosen for the purpose.*—The Sarpanch, or in his absence, the Up-sarpanch shall preside at every such meeting, and in the absence of both, one of the Panchas present and chosen by the residents present shall preside.

(4) *Views of residents on programmes and works of the Panchayats to be recorded and reported.* (a)—At the first of such meetings held in any financial year the budget of the panchayat shall be placed before the meeting and the views of the residents thereon shall be recorded. At all such meetings the programmes and works undertaken by the panchayat shall be explained and their progress shall be re-viewed. Specifically, at such meetings the programme and development works under taken or proposed to be undertaken in respect of Community Development work, Agriculture, Animal Husbandry, Health, Education, Social Education, Social Education, Co-operation, Cottage Industries, shall be explained. The views of the residents thereon or any other suggestions for undertaking any development work shall be recorded.

(b) Minutes of the proceedings at every meeting shall be drawn up in Hindi and signed by the Presiding member.

(c) The views so recorded under the preceding clause shall be reproted by submitting the minutes of the meeting by the Presiding Member to the Panchayat at its next meeting.

(5) *Holding of meetings on requisition by residents in certain cases.*—(a) Notwithstanding anything contained in these rules, the Sarpanch shall, on the requisition in writing of not less than 100 adult residents of the Panchayat Circle or one-fourth of the total adult residents of the Circle, whichever is less, convene a general meeting of the adult residents provided the requisition specifies the day as to when and the purpose for which the meeting is to be held. The requisition shall be delivered at the office of the Panchayat during office hours to the Sarpanch, the Secretary or any other person who may then be in-charge of the office, at least twenty days before the day of the meeting.

(b) If the Sarpanch falls within seven days from the delivery of such requisition to call a meeting on the day specified therein,

the meeting may be called by the residents who signed the requisition on giving the notice provided in sub-rule (2).

(c) No meeting under clause (a) or clause (b) shall be convened at any place other than the place where the office of the Panchayat is situated.

(d) Provisions of these rules shall *mutatis mutandis* apply to such meeting.

By Order of the Governor,  
G. K. BHANOT,  
Dy. Secretary to Government  
(Panchayats.)

*Published in Raj. Raj-patra part IV (c) dated April 22, 1960 at page 9 10-11*

Development Department  
(Panchayats)

# NOTIFICATIONS

*Jaipur, April 22, 1960.*

No. F. 4 (LJ) 2 (9)-26400.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Act No. 31 of 1953), the State Government hereby makes the following amendments in the Rajasthan Panchayat (General) Rules, 1954, namely:—

## AMENDMENTS

In the said Rules—

1. In the mid heading of Rule 37-A for the figures '89 (2) (xi)' the figures '89 (2) (XL)' shall be substituted.

2. For sub-Rule 20 of the following shall be substituted:—

“(20) No transfer of ownership in abadi land by the Panchayat whether by sale, auction or private contract or by grant thereof shall be legally valid if the land exceeds Rs. 200/- in value, unless the approval of the following authorities is obtained:—

“if the lands exceeds Rs. 200/- in value but does not exceed Rs. 1,000/- in value, the approval of the Panchayat Samiti having jurisdiction, if the value exceeds Rs. 1,000/- but does not exceed Rs. 2,000/-, the approval of the Collector of the District, and

if the value exceeds Rs. 2000/- in value, the approval of the State Government.”

3. After Sub-rule (22) the following new Sub-rules shall be Inserted:—

“23. In relation to allotment of lands within the Panchayat circle free of charge for residential houses, under section 31 of the Rajasthan Tenancy Act, 1955, the provisions of Rules 8 to 17 of the Rajasthan Tenancy (Government) Rules, 1955 shall apply *mutatis mutandis*.

24. Nothing in these Rules shall apply to agricultural lands, forest lands, and unculturable waste lands, not being abadi lands, situated within the Panchayat circle and allotment thereof shall be governed by the Rules made under the Rajasthan Tenancy Act, 1955 or the Rajasthan Land Revenue Act, 1956.

25. An appeal shall lie—

(a) From an order of the Panchayat transferring land under these Rules to the Panchayat Samiti.

(b) From such order passed with the approval of the Panchayat Samiti to the Collector,

(c) From such order passed with the approval of the Collector to the Commissioner.

Within thirty days from the date of order appealed from, exclusive of the time requisite for obtaining a copy thereof.

26. (a) The State Government may in the purpose of satisfying itself as to the correctness, legality or propriety of any of the order (including an order passed in appeal) of the Panchayat, Panchayat Samiti, Collector or Commissioner, call for the connected records and may in doing so, direct that, pending the examination of the records such order be held in abeyance.

(b) After examining the records, the State Government may reverse, alter or modify the order of Panchayat, Panchayat Samiti, Collector, Commissioner, as it deems fit.”

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# THE RAJASTHAN Panchayat Election Rules, 1954

Local Self-Government Department.

## NOTIFICATION.

Jaipur, April 14, 1954.

No. F. 1 (n) (14) L.S.G./54.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 the Government of Rajasthan is pleased to make the following Rules:—

### *Part I Preliminary.*

1. (1) These Rules may be called the Rajasthan Panchayat Election Rules, 1954.

(2) They shall come into force atonce.

### *Notes*

Sub-section (2) of section 89 of the Rajasthan Panchayat Act requires the State Government to make rules providing for the regulation of the election or nomination of the Sarpanch or panchas of Panchayats and Tehsil Panchayats.

Section 3 of the Act requires the State Government to establish a panchayat for a village or group of villages. Section 4 provides that a panchayat shall consist of such number of panchas, not being less than five or more than fifteen, as the State Government may think fit. Section 5 of the Act empowers the Chief Panchayat Officer to divide each Panchayat Circle into such number of wards as may be convenient for the purpose of election and fix the number of panchas to be elected from each such ward.

After the compliance of aforesaid provisions of law, section 6 of the Act requires that the election of panchas shall be held and conducted in the prescribed manner.

The present rules prescribe the manner of election as required under section 6 of the Act.

2. In these rules, unless there be anything repugnant in the subject or context:—

(a) "Act" shall mean the Rajasthan Panchayat Act, 1953;

(b) "Collector", "Sub-Divisional Magistrate" or "Tehsildar" when used with reference to a panchayat circle shall mean respectively the Collector or "Sub-Divisional Magistrate" or "Tehsildar" having jurisdiction in such Panchayat circle.

(c) "Population" shall mean the population as determined at the last Census held prior to the establishment of a Panchayat;

(d) "Returning Officer" shall mean the officer appointed under these rules to hold and conduct the elections.

(e) "Section" shall mean a section of the Act.

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These rules have been first published in Rajasthan Raj-patra dated May 15, 1954 part IV (c) at page 139.

*Part II—Division into wards and procedure for the election of Panchas and Sarpanchas.*

3. Whenever a Panchayat shall have been ordered to be established under section 3 and the number of the panchas thereof shall have been fixed under section 4, the Chief Panchayat Officer or Collector shall appoint the Tehsildar or any other officer to be the Returning Officer for the purposes of these rules and the Chief Panchayat Officer shall communicate to him—

(a) the number of wards into which the Panchayat at circle has been divided under section 5 and the number of panchas fixed under the said section to be elected from every ward, and

(b) the date fixed by him for holding the election.

4. The returning Officer shall, at least fifteen days before the date of election, announce for the information of the inhabitants of the Panchayat circle by a notice and in such other manner as the Chief Panchayat Officer may direct, the programme of election, specifying the dates, time and place of polling, the number and names, if any, of the wards, the number of Panchas to be elected from each ward and from the entire Panchayat circle.

*Notes.*

Rule 4 has been substituted in place of the original one vide Local self-Government Department Notification No. F-4 (43) LSG. A/57 dated 8/9/58, published in Rajasthan Rajpatra-part IV (c) Extra Ordinary dated 8/9/58 hereafter to be called as Notification No. I. Original rule 4 is reproduced below:—

The Returning Officer shall, at least seven days before the date of election, announce for the information of the inhabitants of the Panchayat Circle by notice and in such other manner as the Chief Panchayat officer may direct the number and names of wards, if any, the number of panchas to be elected from each ward and from the entire Panchayat circle and the date, time and place of election.

5. (a) In case the Returning Officer has reason to believe that to proceed with the election on the date originally fixed is likely to lead to a breach of the peace or to cause a riot or affray, he shall postpone the election to a later date to be fixed by him. He shall at the same time enter the grounds of postponing the election in a proceeding to be drawn up by him and shall at the earliest possible opportunity inform the Chief Panchayat Officer accordingly.

(b) The State Government or the Chief Panchayat Officer may direct the Returning Officer to postpone any election to any Panchayat if it is considered necessary and expedient in public interest so to do.

*Notes.*

Clause (b) of rule 5 has been newly added vide notification No. 1 as referred to above.

6. The Returning Officer shall at the date, time and place appointed for elections, make the electors coming to take part in the election sit wardwise in convenient separate groups, and shall ask them to purpose and second candidates in respect of their wards.

Provided that if an elector, accompanied by a proposer and a seconder, comes to the Returning Officer for registration of his name as a candidate, at any time after 2 p.m. on the day immediately preceding the date of election, at the village where elections are being held, the Returning Officer shall register the name of such elector in the manner specified in Rule 7 and also allot him a symbol as provided in Rule 10.

*Notes.*

Proviso to rule 6 has been newly added vide notification No-I F. 4 (43) LSG/A/57 dated 6/12/58 published in Rajasthan Rajpatra part IV (c) Extra Ordinary dated 6/12/58 hereafter to be called as notification No. II.

7. The Returning Officer shall enter the names of the candidates and the persons, who purpose and second them, in the election register and shall get it signed by them. He shall also read out to the electors the names of the candidates, if any, registered by him in pursuance of the proviso to rule 6.

*Notes.*

The last sentence, beginning with the words, "He shall also" appearing in rule 7 has been newly added vide notification No. II as referred to above.

8. If any person has any objection regarding any elector or proposed candidate the Returning Officer, after hearing both the parties, then and there determine it. A precise account of the objection and the decision thereon of the Returning Officer shall be recorded in a separate proceeding to be prepared by him.

9. (1) The Returning Officer shall then announce at the Polling station the names of candidates declared by him to have been validly nominated for election.

(2) If the number of such candidates is equal to the number of panchas to be elected, he shall declare them as having been duly elected and shall proceed with the election of the Sarpanch and the Up sarpanch in accordance with rules 14 and 15 respectively.

(3) If the number of such candidates is less than the number of panchas to be elected, he shall likewise declare all such candidates to have been duly elected, and shall immediately call upon the inhabitants of the panchayat circle or the ward, as the case may be, to nominate candidates for being elected to the offices of the remaining panch of panchas and upon their failure to do so, proceed with the election of the Sarpanch and the Up-sarpanch in accordance with rules 14 and 15 respectively.

(4) If the number of such candidates exceeds the number of panchas to be elected, the Returning Officer shall proceed to hold the election in accordance with rule 10.

10. (1) The Returning Officer shall allot a symbol to each candidate separately out of those described in the schedule to these rules, at his discretion and his decision shall be final and binding on the candidates.

(2) The Returning Officer shall, before the commencement of the poll, announce to electors wardwise the symbols allotted by him to each candidate under the preceding sub-rule.

(3) The Returning Officer shall then, call upon the duly qualified voters, then present, to cast their votes turn by turn and ward-wise by means of a ballot paper for one or more as the case may be of the candidates declared to have been validly nominated.

(4) Every ballot paper shall bear a serial number and signatures of the Returning Officer.

(5) Every elector shall be given one ballot paper.

Provided that in a multimember ward the elector shall be given ballot papers equal to the number of Panchas to be elected from such ward.

(6) Each ward will have ballot boxes according to the number of candidates. There shall be a box for each candidate and each box shall have pasted on it the symbol allotted to the candidate.

(7) The ballot boxes shall be placed in a compartment, which shall be so designed that every elector can insert the ballot paper into any ballot box, screened from observation by any other person.

(8) In case of elections of a Panchayat for the first time, the Chief Panchayat Officer and in case of subsequent elections, the Panchayat concerned, shall provide the requisite number of ballot boxes of any type old or new that may suit the requirement and sufficient quantity of such other election material as may be required for use for the purpose.

(9) The returning Officer shall dispose of the objections, if any, raised by the candidates and when satisfied that the intending voter is entitled to vote and has not yet voted shall give him the ballot paper. The current electoral rolls prepared for elections to the State Legislative Assembly shall be used for guidance in case of any dispute. The Returning Officer shall record the proceedings in brief and forward the same to the Collector of the District.

(10) There shall be no voting by proxy.

(11) On the request of a voter, who, due to blindness or illness or any other cause, is incapable of inserting his ballot paper in the ballot box, the Returning Officer shall assist him.

(12) It shall be the duty of the Returning Officer and his Assistants, if any, to see that the votes are recorded with absolute secrecy, that only such persons remain or enter in the polling station as are allowed to remain or enter in under these rules and persons who have recorded their votes and against whom objections have been disposed of leave immediately. It shall also be his duty to ensure that these rules are strictly followed.

11. (i) No voter shall carry on his person, in a radius of 100 yards of the polling station, any arms or weapon of any kind.

(ii) Use of conveyance of any kind for the purpose of transporting voters from their residence or any other place to the place of election by candidates or their agents is prohibited.

(iii) No person shall impersonate an elector.

(iv) No person at any election shall use a ballot paper otherwise than for the purpose for which it is meant.

(v) Any breach of the preceding sub-rules shall be punishable with a fine which may extend to Rs. 10/-.

12. (a) The returning Officer shall proceed with the counting of votes soon after the close of the poll either in one ward or in all the wards as he may deem expedient and may appoint any person to assist him for the purpose. The counting of votes shall be in the presence of the candidates or their authorised agents and the Lambardar of the place.

(b) After the votes have been counted, the Returning Officer shall announce the number of votes secured by each candidate and declare in writing the candidate securing the greatest number of votes to have been duly elected.

*Notes.*

Rules 10, 11 and 12 have been newly added vide notification No. I as referred to above. Original rules 10, 11 and 12 are reproduced below for the purpose of ready reference:—

10. The Returning Officer shall require the duly qualified electors then present to cast their votes, turn by turn, by show of hands, for one of the candidates declared to have been validly nominated.

11. The Returning Officer may appoint any person to assist him in the counting of votes.

12. After the votes have been cast and counted the Returning Officer shall announce the number of votes secured by each candidate and declare the candidate securing the greatest number of votes to have been duly elected.

13. In case of equality of votes secured by more than one candidate the Returning Officer shall draw lots in the presence of the candidates in the following manner :—

(a) Pieces of paper of the same size and colour shall be taken and the name of each candidate, who has secured the same number of votes, shall be written on one such piece. All the pieces shall be folded in the same manner.

(b) Such folded pieces shall be mixed together and a boy of about 8 years of age shall be asked to draw any piece of paper from amongst them.

(c) The person, whose name is found to be written on the piece of paper drawn first, shall be declared to have been duly elected.

14. The Returning Officer shall hold the election of a Sarpanch in the manner, so far as may be, provided in the foregoing rules for election of Panchas. The election of a Sarpanch may be held any time before or after or simultaneously with the election of the Panchas.

Provided that a candidate, eligible for the office of a Sarpanch, accompanied by a proposer and a seconder, come to the Returning Officer, at his office at any time in office hours, within five days immediately preceding the date of election, the Returning Officer shall register the name of such candidate in the manner specified in rule 7 and allot him a symbol as provided in rule 10 and read out to the electors his name along with the names of the candidates entered by him in pursuance of rule 7.

*Notes*

Rule 14 has been substituted for the original rule 14 vide notification No. I. Proviso as appearing in the Present rule has been newly added vide notification No. II. as referred to above. Original rule is reproduced below:—

14. The Returning Officer shall, subsequent to the election of Panchas, get the electors, who are present there, seated together and shall require them to propose and second candidates for election as the Sarpanch. Subsequent proceedings for the election of the Sarpanch shall, so far as may be, be regulated by the foregoing rules for the election of Panch.

15. The Returning Officer shall then call the elected Panchas together and call upon them to elect one from amongst themselves to be the Upsarpanch. He shall draw up a proceeding and declare the panch securing the greatest number of votes to have been duly elected as Up-sarpanch.

*Notes.*

Sub-Section (1) and (2) of section 13 providing for election of Sarpanch and Up-Sarpanch read as under:—

(1) Every Panchayat shall have a Sarpanch who must be a person qualified to be elected as a Panch and able to read and write Hindi and shall be elected by the electors of the whole Panchayat Circle in the prescribed manner.

(2) Every Panchayat shall have an Upsarpanch who must be a person able to read and write Hindi and shall be elected by the Panchas from amongst themselves in the prescribed manner.

16. After the election is over, the Returning Officer shall prepare and certify as correct a return setting forth for each office separately, the total number of electors who exercised their votes, the name or names of all the candidates and the total number of votes secured by each.

17. The Returning Officer shall make a report to the Chief Panchayat Officer of the result of the election appending thereto the return under rule 16 and the proceedings drawn up by him and specifically pointing out failure, if any, to elect for the purpose of taking action under section 8 or sub-section (3) of section 13.

18. Upon receipt of the report under rule 17, the Chief Panchayat Officer shall, as soon as possible,—

(a) make appointments, if necessary, under section 8 or sub-section (3) of section 13.

(b) make a report to the State Government for appointment, if necessary, of an additional Panch under section 9,

(c) notify the names of the Panchas, Sarpanch and Up-sarpanch so elected or appointed, and

(d) announce such election and appointment by posting a notice at the office of the Panchayat and also by beat of drum.

*Notes*

Sec. 8. If on the date fixed for election the electors of a Panchayat Circle or of any Ward thereof fail to elect the requisite number of Panchas, the Chief Panchayat Officer shall appoint a person or persons as prescribed to complete such number and every person so appointed shall be deemed to be a duly elected Panch:

Provided that the person so appointed shall not hold office for a period exceeding six months, unless duly elected.

9. If no person belonging to any of the Scheduled Castes has been elected to a Panchayat and the Government considers it desirable that some such person should

be a Panch of that Panchayat, the State Government may appoint any such suitable person, otherwise qualified for being a Panch thereof, to be the additional Panch of such Panchayat. Such additional Panch shall in all respects and for all purposes be deemed to be a duly elected Panch.

13. (3) If the electors of a Panchayat Circle fail to elect sarpanch, in accordance with this section or if the Panchas fail to elect Upsarpanch, the State Government shall appoint a person to the vacancy till such vacancy is filled up by election within a period of six months and the person so appointed shall be deemed to be a duly elected Sarpanch or Upsarpanch, as the case may be.

14. Every election or appointment of a Sarpanch, Upsarpanch and a Panch shall be notified in the Rajasthan Gazette in accordance with rule made under this Act.

(19) (1) The validity of the election of any panch, Sarpanch or Upsarpanch may be questioned by a petition presented by a defeated candidate or by any ten duly qualified electors to the Collector within fifteen days from the date of declaration of the result on one or more of the following grounds:—

(a) that the person elected has committed during or in respect of the election a corrupt practice as defined in rule 46,

(b) that such person was declared to be elected by reason of an improper rejection or admission of one or more votes or for any other reason, was not duly elected by a majority of lawful votes;

(c) that such person was disqualified for election under the provisions of section 11;

(d) that such person was not qualified to be nominated as a candidate for election or that the nomination paper was improperly rejected;

(2) The Collector may either himself enquire into the petition or may forward the same to the Sub-Divisional Officer for enquiry and report.

(3) The election of any Panch, Sarpanch or Upsarpanch shall not be questioned:—

(a) on the ground that the name of any person qualified to vote has been omitted from or the name of any person not qualified to vote has been inserted in the electoral list, if any, or

(b) on the ground of any non-compliance with the Rajasthan Panchayat Act, 1953, or any rules made thereunder or any mistake in the forms required thereby, or of any error, irregularity or informality on the part of any officer charged with the carrying out of the provisions of the Act or any rules unless such non-compliance, error, irregularity or informality has materially affected the result of the election.

#### Notes.

Rule 19 has been substituted for the old one vide notification No. I as referred to above. Original rule 19 is reproduced below:—

19. The validity of the election of any Panch, Sarpanch or Up-sarpanch may be challenged by a petition presented by a defeated candidate or by any ten duly qualified electors to the Collector within 15 days from the date of the announcement

under clause (d) of rule 18. The Collector may either himself inquire into the petition or may forward the same to the Sub-Divisional Magistrate for inquiry and report.

20. If upon such inquiry or report the Collector is satisfied that the election in dispute has been the outcome of some misconduct or corrupt practice or such irregularity which has substantially influenced the result thereof he shall make an order setting aside the election or amending the declared result thereof.

### *Part III—Constitution of Tehsil Panchayats and Elections thereto.*

#### *Notes.*

Section 58 of the Act provides for establishment and constitution of Tehsil Panchayats. Sub section (1), (2), (3) and (4) of section 58 of the Act dealing with the constitution of Tehsil Panchayats and the election thereto are reproduced below—

(1) The State Government shall, by notification in the Rajasthan Gazette, establish a Tehsil Panchayat, consisting of a Sarpanch and six to eight panchas elected in the prescribed manner.

(2) For the purposes of election of a Sarpanch and Panchas of a Tehsil Panchayat, the Members consisting of the Sarpanchas and Panchas of all the Panchayats in the Tehsil established or deemed to have been established under this Act shall form an electoral college.

(3) Save as otherwise provided for in this section, the provisions of sections 7 to 23 (both inclusive) shall *mutatis mutandis* apply, so far as may be, to Tehsil Panchayats and to the Panchas and Sarpanchas thereof as if they were for the purpose of such application Panchayats established under section 3 or, as the case may be, the Panchas or Sarpanchas of the latter.

(4) Every person who is for the time being qualified for election or appointment as a Panch or Sarpanch of a Panchayat established under section 3 within the Tehsil for which a Tehsil Panchayat is established under this section shall be eligible for election or appointment as a Panch or Sarpanch of such Tehsil Panchayat;

Provided that if any person so elected or appointed happens to be a Panch or Sarpanch of any Panchayat his seat on such Panchayat shall be deemed to have become vacant upon the announcement of the result of such election or upon such appointment:

Provided further that no such person shall take part in the transaction of any business of the Tehsil Panchayat relating to administration of civil and criminal justice, if he had taken part in the transaction thereof by the Panchayat of which he was the Panch or Sarpanch.

21. Whenever a Tehsil Panchayat Shall have been ordered to be established under section 58 the chief panchayat officer shall cause to be prepared, as early as possible, a list of the panchayats existing in the tehsil concerned and of the panchas and sarpanchas thereof and shall revise such list every year.

22. When the list referred to in rule 21 has been prepared, the Chief Panchayat Officer shall, with the approval of the State Government.—

(a) appoint the Tehsildar, to be the Returning Officer for the purposes of these rules, and

(b) appoint a date for the holding of elections in accordance with these rules.

23. The returning Officer shall announce the panchayats concerned the date fixed for election and require the prospective candi-



dates to file with him on a specified date which shall not be less than a week before the date fixed for election their nomination papers in the following form, signed by the candidates and by the persons proposing and seconding them:—

Name of the Tehsil Panchayat.

Name of the candidate.

Father's name.

Residence.

Age.

Name of the person proposing him.

Name of the person seconding him.

Signature of the person

Signature of the person

Proposing him.

seconding him.

Declaration of the candidate.

I, hereby, declare that I agree to the above nomination.

Signature of the candidate

24. Every candidate shall before delivering his nomination paper, deposit a sum of ten rupees with the returning Officer who will give him a receipt therefor. No candidate shall be deemed to have been duly nominated unless such deposit shall have been duly made.

25. (a) In case any candidate who has deposited the amount mentioned in rule 24 is not elected and secures votes less than one fifth of the total number of votes cast the deposit shall be forfeited and credited to the fund of the tehsil panchayat.

(b) Except as otherwise provided in clause (a), the deposit shall, as soon as possible after the announcement of the result of election, be refunded to the candidate and, if he dies, to his successor in the circumstances mentioned below:—

(a) if the nomination of a candidate is proved to be invalid, or

(b) If a candidate withdraws his name from candidature within the time prescribed, or

(c) in the nomination of a candidate has been rejected, or

(d) if a candidate dies before a poll is held, or

(e) in the case of a candidate, who has not been elected, if the deposit has not been forfeited, or

(f) if a candidate has been elected.

26. The returning Officer shall, after receiving nomination papers, scrutinize them on a date next following the date fixed for filling them and shall decide whether to accept or reject them. In case he rejects any nomination paper, he shall record a brief statement of reasons for such rejection.

27 Any candidate, whose nomination paper has been accepted may withdraw his candidature by delivering a written application signed by him on the day next after the date fixed for the scrutiny of nomination papers. A candidate who has once withdrawn his candidature, shall not be entitled to cancel such withdrawal.

28. After the expiry of the date fixed for withdrawal of candidature, the Returning Officer shall—

(a) prepare a list of the candidates whose nomination papers have been accepted and who have not withdrawn their candidature,

(b) If the number of such candidates is equal to the number of persons required to be elected, declare such candidates to have been duly elected,

(c) if the number of such candidates is less than the number of persons required to be elected, declare such candidates to have been duly elected and call upon the electors to nominate candidates for being elected to the office of the remaining Panch or Panchas within such further time as may be allowed.

(d) upon their failure to do so, shall report the matter to the Chief Panchayat Officer for taking action under section 58 read with section 8, and

(e) if the number of such candidates exceeds the number of persons required to be elected, assign a separate symbol to each candidate and hold election on the date fixed for the purpose.

Provided that the Returning Officer may assign to one or more of the candidates the symbol which has been assigned to an organisation by the Election Commission of India.

#### Notes.

Proviso clause (e) of rule 28 has been newly added vide amending Notification No. D. 6553/F. I (L) (I) LSG./55 dated April 11/4/56 published in Rajasthan Rajpatra part IV (c), dated 9/6/56.

29. The Returning Officer shall, keeping in view the number of electors, arrange for the printing of ballot papers in the following form:—

Serial No.	Name of candidate & his residence.	Father's name.	Name of symbol.	Picture of symbol.	Mark of voting.
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30. The Returning Officer shall appoint a Presiding Officer and as many Polling Officers as may be necessary for conducting the election.

31. The Returning Officer shall make necessary arrangements for election and shall get the votes counted before him. He shall construct booths and fix seats for each Polling Officer and his assistants if any, and the candidates or their agents according to convenience. The Polling Officer shall have with him a list of electors, and the moment an elector arrives, the Polling Officer shall, after making necessary enquiry, mark his name in the list and issue him a ballot paper. The elector shall enter the booth with the ballot paper and after putting a cross mark on the ballot paper in the booth shall fold it and drop it in the box through the hole. Each elector shall be entitled to cast as many votes as the number of members required to be elected to the Tehsil Panchayat Provided that not more than one vote shall be cast in favour of one candidate. The elector shall put a cross mark in the bracket, which is meant for it, opposite the name of the candidate in whose favour he casts his vote.

32. The Returning Officer shall provide every Polling Officer with a ballot box in which a paper can be dropped through the hole but the ballot paper can not be taken out of it without breaking its lock and seal. Prior to the commencement of election the Presiding Officer shall be bound to open the ballot box before the candidates or their agents and to show them that it is empty. He shall then lock it and seal it then and there and shall also seal the key of the lock; provided that in case the candidates and their agents be not present there in time, their arrival shall not be awaited for.

33. It shall be the duty of the Presiding Officer to remain present at the polling station at the time of polling and supervise the work of the Polling Officers.

34. All electors, who have entered the polling station within the prescribed time, shall be entitled to vote, and ballot papers shall be issued to all such electors before the polling is closed on account of the expiry of time prescribed therefor.

35. After the polling is over, the returning Officer shall, on a date of which notice shall be given, open the ballot boxes and count the votes in the presence of the candidates and their agents.

36. If any elector does not put the mark of voting on a ballot paper or drops it into the ballot box after spoiling it otherwise it shall be rejected and shall not be included in the valid votes.

37. Where two or more candidates secure an equal number of votes the Returning Officer shall draw lots in the manner specified in rule 13.

38. Subject to the provision contained in rule 37, the Returning Officer shall declare the candidates securing the greatest number of votes to have been duly elected.

39. The election of the Sarpanch of a Tehsil Panchayat shall be held simultaneously with that of the panchas thereof and the procedure laid down in the foregoing rules of this Part shall be followed and apply *mutatis mutandis*.

40. To the election of a Sarpanch and the Panchas under this Part, the provisions contained in rules 16 to 20 shall apply *mutatis mutandis*.

41. The Returning Officer shall, after declaring the result of election, put the accepted and rejected ballot papers in separate packets in the presence of such candidates and their agents as may be present there, and shall put his seal thereon. Candidates or their agents shall also be entitled to put their signature or seals thereon. These packets shall remain in the safe custody of the Tehsil for 3 months from the publication of the result of election in the Rajasthan Gazette, and thereafter he shall be empowered to destroy them if, in his opinion, the above mentioned ballot papers do not serve any purpose; provided that in case the validity of the election has been challenged by petition, the said packets shall be kept in safe custody till the petition is finally decided.

*Part IV—Bye-elections and Fresh Elections.**Notes.*

Section 20 of the Act provides that, "In the event of the office of a Panch Sarpanch or Up-sarpanch becoming vacant by death, removal, resignation or otherwise under this Act, which shall be forthwith reported to the Chief Panchayat Officer, an election to fill the vacancy shall be held in such manner as may be prescribed. The foregoing provisions of this Act shall apply to such election and the Sarpanch, Upsarpanch or Panch so elected or appointed shall hold office for the remainder of the term during which the out-going Sarpanch, Upsarpanch or Panch would have been entitled to hold office if the vacancy had not occurred;

Provided that such vacancy shall not be filled up if the, said term would expire within six months from the date of the occurrence of such vacancy.

The rules in this part are framed on the authority of section 20 of the Act.

42. In the event of an office of a Panch, Sarpanch or Up-sarpanch of a Panchayat or a Tehsil Panchayat becoming vacant, a bye-election to that office, if necessary, under the Act, shall be held as nearly as may be, in the manner laid down in Part II or Part III, as the case may be.

43. Before the expiry of the term of office of the members of a Panchayat or Tehsil Panchayat in accordance with the provision of the Act, the Chief Panchayat Officer shall take steps to have fresh general elections held in the manner laid down in Part II or Part III, as the case may be, so that the new Panchayat or Tehsil Panchayat may be formed before such expiry.

*Part V—Miscellaneous.*

44. (1) No person shall obstruct or in any way interfere with any officer or person appointed for the performance of any duty under these rules.

(2) No officer of the State Government or any local authority shall canvass or use his influence for any of the candidates.

(3) Any person contravening the provisions of sub-rules (1) and (2) shall on conviction be punishable with a fine which may extend to ten rupees.

(4) No prosecution under this rule shall be started otherwise than by the returning Officer.

45. Any person who causes riot, affray or the breach of the peace at any polling station or obstructs the work of the election therein under part II or part III of the rules may be expelled by the returning Officer or the presiding Officer, as the case may be, from the polling station.

46. The following shall be deemed to be the corrupt practice for the purposes of elections under these rules to a panchayat or a Tehsil Panchayat namely:—

(1) offering or giving any money or valuable consideration or holding out any promise of individual profit or any threat of injury to any person with a view to induce him to give or to refrain from giving a vote in favour of any candidate;

(2) giving or procuring or abetting the giving of a vote in the name of an elector when he is not such elector.

*Explanation I.*—“A promise of individual profit” includes a promise for the benefit of the person<sup>3</sup> himself or of any one in whom he is interested but does not include a promise to vote for or against any Particular measure of the Panchayat or Tehsil Panchayat.

*Explanation II.*—A corrupt practice shall be deemed to have been committed by a candidate if it has been committed within his knowledge or with his consent by a person who is acting under the general or special authority of such candidate with reference to the election.

47. Every Panch or Sarpanch of a Panchayat or Tehsil Panchayat elected or appointed under the Act and these rules shall, before entering upon his office as such, take the oath of his office in the following form:—

### FORM OF OATH

I.....son of.....  
 .....resident of.....  
 elected/appointed as Panch/Sarpanch of the Panchayat/Tehsil Panchayat ..... do swear that I will bear true faith and allegiance to the Constitution of India as by Law established and that I will do justice to all kinds of people and faithfully discharge my duties as Panch/Sarpanch of the said Panchayat Tehsil Panchayat without fear or favour, affection or ill-will. So help me God.

The oath shall be taken in writing—

(1) in the presence of the Tehsildar or the Returning Officer in the case of the Sarpanch and in the presence of the Sarpanch or the Returning Officer in the case of Panch.

By Order of His Highness the Rajpramukh.

S. L. KAKAR,

Secretary.

### THE SCHEDULE

(Vide rule 9).

Symbols.

1. Scales.
2. Cock.
3. Camel.
4. Cart.
5. Bullock.
6. Horse.
7. Cycle.
8. Sun.
9. Elephant.
10. Lion.

*Notifications under*

**Rajasthan Panchayat Election Rules, 1954**

*Published in Raj. Raj-patra part IV (c) dated September 28, 1959 at page 569*

*Jaipur, September 26, 1959.*

No. F. 4 (138) LSG-A/58/1316.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Act No. XXI of 1953) the State Government hereby makes the following amendments in the Rajasthan Panchayat Election Rules, 1954, namely:—

(1) In rule 3 for the words 'the Chief Panchayat Officer or Collector' occurring in line 3, the words 'Collector of the District' shall be substituted.

(2) In rule 3 for the words 'Chief Panchayat Officer' occurring in lines 5, the words 'Collector of the District' shall be substituted.

(3) In rules 4, 17, 18 and 21, for the words 'Chief Panchayat Officer', the words 'Collector of the District' shall be substituted.

(4) In rule 22, for the words 'Chief Panchayat Officer shall with the approval of the State Government', the words 'Collector of the District' shall be substituted.

# THE RAJASTHAN PANCHAYAT (Tax on Industries) RULES, 1956.

## NOTIFICATION

Jaipur, May 20, 1957.

No. F. 1 (d) (36) LSG/54.—In exercise of the powers conferred by clauses (xvi) and (xvii) of sub-section (2) of section 86 read with clause (h) of sub-section (1) of section 64 of the Rajasthan Panchayat Act, 1953 (Act XI of 1953 of the pre-Reorganisation State of Rajasthan) the State Government hereby makes the following rules, namely:—

### Notes.

Section 64 of the Rajasthan Panchayat Act, 1953 provides that subject to the prescribed rules and any other orders made or issued by the State Government in this behalf, a Panchayat may, with the previous sanction of the State Government impose one or more of the Following taxes, namely—

64. (h) a tax on industries.

Sub-section (3) of section 64 provides that taxes under sub-section (1) shall be imposed, assessed and realised in such manner and paid or realised at such times, as may be prescribed.

Sub-section (2) of section 89 requires the State Government to make rules for—  
(xvi) the levy of taxes and licence fees, the authority by which and the manner in which taxes may be assessed, and the authority to which an appeal from an assessment order may be made;

(xvii) the method and time of payment of taxes and other dues, the procedure of recovery and the authority whose assistance may be taken by Panchayats in the recovery of taxes and dues;

The present rules have been framed on the authority of the provisions of law under the Rajasthan Panchayat Act—

1. *Short title and extent.*—(1) These rules may be called the Rajasthan Panchayat (Tax on Industries) Rules, 1956.

(2) They extend only to the area of the pre-Reorganisation State of Rajasthan.

2. *Definition.*—In these rules, unless the context otherwise requires “tax” means a tax on industries imposed by a Panchayat under clause (h) of sub-section (1) of section 64 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act XXI of 1953).

3. *Rates of tax.*—If a Panchayat imposes a tax on industries in accordance with the procedure given in section 64 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act XI of 1953) the annual rate of the tax shall be regulated according to the horse power of the engine used in the industry, and shall not exceed the amount specified below with reference to the horse power of the engine.

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*These rules have been first published in Rajasthan Raj-patra dated June 20, 1957 part IV (c) at page 179.*

<i>Horse Power of Engine</i> 1		<i>Annual Rate of Tax (Maximum)</i> 2
Horse Power.	5 to 7	4/-
" "	exceeding 7 but not exceeding 9	5/-
" "	exceeding 10 " " 12	6/-
" "	exceeding 12 " " 15	7/-
Horse Power exceeding 15 but not exceeding 17		9/-
" "	17 " " 20	10/-
" "	20 " " 23	11/-
" "	23 " " 28	14/-
" "	28 " " 31	16/-
" "	31 " " 38	19/-
" "	38 " " 45	23/-
" "	45 " " 50	25/-
" "	50 " " 60	30/-
" "	60 " " 65	33/-
" "	65 " " 70	35/-
" "	70 " " 75	38/-
" "	75 " " 80	40/-
" "	80 " " 90	45/-
" "	90 " " 100	100/-

For every additional horse power in excess of 100 tax will be realised at a rate not exceeding one rupee per horse power.

4. *Exemption.*—The tax shall not be levied in industries in which engines run with electricity.

5. *Mode and period of levy.*—The Tax shall be levied at an annual rate, and shall be realised in advance for the whole year with reference to every year beginning on the first day of April.

6. *General Rules to be complied with.*—The provisions of the Rajasthan Panchayat (General) Rules, 1955 shall be complied with in so far they are relevant to the tax.



# The Rajasthan Panchayat and Nyaya Panchayat Election Rules, 1960.

Panchayat and Development Department (Panchayat Wing)

## NOTIFICATION.

Jaipur, October 5, 1960.

No. F. 4 (LJ) 25/(14).—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953) and of all other powers enabling it in this behalf, the Government of Rajasthan is pleased to make the following rules, namely:—

### CHAPTER I.

#### *Preliminary.*

1. *Short title and commencement.*—(1) These Rules may be called the Rajasthan Panchayat and Nyaya Panchayat Election Rules, 1960.

(2) These Rules shall come into force at once.

#### *Notes.*

Sub-section (1) of section 89 of the Rajasthan Panchayat Act, 1953 authorises the State Government to make rules, consistent with this Act, for carrying out the purposes thereof. Sub-section (2) requires that such rules may particularly provide for—

- (i) any matter for which power to make provisions is conferred expressly or by implication on the [State Government] by this Act;
- (ii) the establishment of Panchayats;
- (iia) the constitution of Nyaya Panchayat;
- (XXXviii) the regulation of the election [co-option] or nomination of the Sarpanch, and Panchas of Panchayats [x x];
- (XXXviii a) the election of the Chairman and members of Nyaya Panchayats and their retirement by rotation;
- (XXXviii d) the grounds on which, the conditions subject to which and the manner in which an elections or cooption held under this Act may be called in question;
- (XXXviii c) the authority for the decision of election and co-option disputes;

(XXXix) any matter which, under this Act, may be or is required to be prescribed or for which rules may be or are required to be made thereunder:

The present rules have been framed by the State Government in exercise of the powers so conferred under section 89 of the Act.

Section 3 of the Act requires the State Government to establish a Panchayat for a village or a part of a village or group of villages. Section 4 of the Act provides that a Panchayat shall consist of a Sarpanch and such number of Panchs, not being less than 5 or more than 15, as the State Government may think fit.

These rules have subsequently been amended vide the following notifications:—

1. No. F. 4 (LJ) 25 (14) Jaipur dated 11-10-60, published in Rajasthan Raj-patra-part IV (c) dated 12-10-60.
2. No. F. 4 (LJ) (25) (14)/66004, dated 18-10-60, published in Rajasthan Raj-patra-part IV (c) dated 18-10-60.
3. No. F. 4 (LJ)25(14),dated 31-10-60,published in Rajasthan Raj-patra-part IV (c) dated 31-10-60.
4. No. F. 4 (LJ) 25 (14), dated 24-11-60, published in Rajasthan Raj-patra-part IV (c) dated 24-11-60.
5. No F. 4 (LJ) 25 (14), dated 28-11-60. published in Rajasthan Raj-patra-part IV (c)-dated 28-11-60.
6. No. F. 4 (LJ) Pts/60-A, dated 23-12-60, published in Rajasthan Raj-patra, part IV (c) dated 23-12-60.

2. *Interpretation.*—(1) In these Rules, unless the subject or context otherwise requires,—

(i) “Act” means the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953);

(ii) “form” means a form appended to these Rules;

(iii) “Returning Officer” means the officer appointed as such under these Rules; and

(iv) “Section” means a section of the Act.

(2) All words and expressions used but not defined in these Rules have the same meanings as are respectively assigned to them in the Act.

## CHAPTER II.

### ELECTIONS AND CO-OPTIONS

#### (1) *Formation of wards.*

##### *Notes.*

The rules under this part have been framed in pursuance of section 5 of the Act which requires the Collector to divide each Panchayat Circle into such number of wards as may be convenient for the purpose of election and fix the number of Panchas to be elected from each such ward.

3. *Matters to be taken into consideration in formation of Wards.*—(1) A Panchayat Circle shall be divided into wards equal to the number of Panchas fixed therefor under section 4.

(2) The population of each ward of a Panchayat Circle shall, as far as may be, in the same proportion as the number of panchas fixed under section 4 bear to the total population of the Panchayat Circle.

(3) In dividing a panchayat circle into wards under section 5, the Collector shall form each ward so as to conform [as far as possible] to the order in which the houses of the electors of the panchayat circle appear in the electoral roll of the Rajasthan Legislative Assembly relatable thereto.

##### *Notes.*

Words, “as far as possible” appearing in brackets after the word, “conform” vide amending notification number two above.

(4) Each ward shall be assigned a separate serial number.

4. *Number of panchas for multi-member wards.*—In fixing the number of panchas for a multi-member ward, if any, the Collector shall see that such number bears, in relation to the population of the multi-member ward, the same proportion as the total number of panchas fixed under section 4 for a panchayat bears to the total population of the panchayat circle.

5. *Publication of Wards.*—The wards formed under rule 3 and the number of panchas, if any, fixed for multi-member wards under rule 4, shall be notified by affixing a statement thereof on the notice board of the Collector’s office as well as on the Panchayat office or in any conspicuous place at the headquarters of the Panchayat where no Panchayat office is established.

(2) *Voters Lists.*

Notes.

The rules in this part are meant to put into effect the requirements of section 10 of the Act which reads as under:—

[10. *Electors, electoral rolls and right to vote*:—(1) For each of the wards into which a Panchayat circle is divided under section 5, there shall be prepared and maintained [ ] in the prescribed manner, [by or under the supervision of the Collector or of such subordinate gazetted officer of the State Government, as the Collector may authorise in this behalf] a list of the voters thereof.

(1A) Every person, who is qualified to be registered in the Rajasthan Legislative Assembly electoral roll relating to the area comprised in the Panchayat circle or a ward thereof or whose name is entered in such roll, shall be entitled to be registered in the list of voters of such panchayat circle or ward, as the case may be:

Provided that no such person shall be entitled to be so registered more than once or in more than one ward of the same panchayat circle.]

(2) Such list shall [subject to the provisions of sub-section (1A) and further subject to any rules made in this behalf] conform to the latest electoral roll of the Rajasthan Legislative Assembly relating to the area comprised in such ward, prepared under and in accordance with the provisions of the Representation of the People Act, 1950 (Central Act 43 of 1950).

(3) Every person whose name appears for the time being in the list of voters for a ward shall, unless he is disqualified to do so under any law, for the time being in force be entitled to vote at an election in that ward.

(4) Every such person shall be entitled to cast as many votes as there are panchas to be elected from that ward and no person shall be entitled to vote in more than one ward or to cast more than one vote in favour of the same person.]

6. *Preparation of Voters Lists*.—The Collector shall cause to be prepared in Hindi written in Devnagri Script, a list of the voters of each ward formed under section 5 and rule 5, in accordance with the provisions of section 10.

7. *Publication of Lists*.—Each voters list so prepared shall be published by being exhibited at the office of the panchayat, if any, on the notice board of the Tehsil within which the panchayat circle lies and at one or two conspicuous places within the ward to which the list pertains, along with a notice—

(a) inviting objections thereto and claims in respect thereof to be presented in writing within a fortnight from the date of notice to the Collector, and

(b) fixing a date and time for the hearing of such objections and claims, if any, by him.

(2) From the date of the notice referred to in sub-rule (1), each such list shall also be open to inspection free of charge by the public for a fortnight during office hours at the offices of the Panchayat, if any, and of the Collector.

8. *Claims and objections.*—(1) Any person, whose name is not entered in the Voters list or is entered in an incorrect place or manner or with incorrect particulars or any person whose name is entered in the list and who objects to the inclusion of his own name or the name of any person in that list, may prefer a claim or objection by delivering to the Collector an application in writing not later than 3 O'clock in the afternoon of the 15th day from the date of the notice under rule 7, and no claim or objection received after that time shall be entertained.

(2) A claim or objection shall be accompanied by any documents on which the claimant or objector relies.

9. *Disposal of claims and objections.*—(1) The Collector shall, after holding such summary inquiry into the claims or objections as he thinks fit, record his decision in writing.

(2) No person shall be represented by any legal practitioner in any proceeding under this rule.

(3) The decision of the Collector shall be final and each voters list shall be amended in accordance with such decision.

(4) The voters list as so amended shall be final and a certified copy each of the same duly signed by the Collector shall be deposited in the office of the Panchayat, if any, and the Collector.

10. *Inspection and issue of certified copies.*—Every member of the public shall have the right to inspect the voters list referred to in sub-rule (4) of rule 9 on payment of a fee of one rupee and attested copies of the same may be issued to an applicant on payment of the same fees as are prescribed for copies of revenue records.

11. *Duration of lists and their revision.*—(1) Every list of voters referred to in sub-rule (4) of rule 9 shall continue in force until revised in accordance with sub-rule (2).

(2) Every such list shall be revised simultaneously with the revision of the Assembly electoral roll relating to the ward to which it pertains or whenever any change in the limits of the Panchayat Circle or a ward thereof takes place, and the provisions of rules 7, 8 and 9 shall apply to such revision.

12. *Interim alterations.*—(1) Any person may apply for the correction of any list of voters for the time being in force by presenting an application in that behalf to the Collector.

(2) The Collector may, after making such inquiry as he thinks necessary, record an order for the correction of an entry in the list respect of any particulars or for the rejection of the application.

(3) Where any such application is made for the inclusion of the applicant's name in the voters list and the Collector is satisfied that the applicant is entitled to have his name entered in the list, he may order the same to be amended accordingly.

(4) The Collector may cause to be corrected any clerical error in the voters list at any time.

(5) No order under this rule for the exclusion of the name of a person from the voters list shall be made unless the person whose name is proposed to be excluded has been given a reasonable opportunity of being heard.

(6) No application for the inclusion or exclusion of a name shall be entertained within a period of [one month immediately preceding the date] fixed for a general election or a bye-election:

#### Notes.

Words, "one month immediately preceding the date" appearing in brackets have been substituted for the words "one month from the date" vide amending notification number three above.

Following proviso has been omitted vide amending notification number two above:—

(7) The voters list altered in accordance with this rule shall be deemed to be the list for the time being in force.

12-A. *Interpretation.*—The expression “Collector wherever occurring in rules 6 to 12, shall include any subordinate Gazetted officer of the State Government, authorised by the Collector under section 10.”

*Notes*

Rule 12A has been newly added vide amending notification number three above.

13. *Custody and destruction of papers.*—The preliminary voters list published under rule 7, and the claims and objections received under rule 8 along [with the orders thereon of the officer hearing the objections and claims and one of the certified copies of final voters list] shall be preserved in the record room of the Collector until after the next revision of the voters lists and shall then be destroyed.

*Notes:*

Words, “with the orders thereon of the officer hearing the objections and claims and one of the certified copies of final voters list “appearing in brackets have been substituted for the words,” with the orders of the Collector thereon” vide amending notification number three above.

(3) *Election of Panchas.*

*Notes.*

The rules under this heading prescribe, as required under section 6 of the Act, the manner in which the election of Panchas shall be held and conducted.

14. *Notification of election.*—(1) As often as a general election of panchas in a panchayat circle becomes necessary, or is required by the provisions of the Act, to be held for the constitution or reconstitution of a Panchayat, the Collector shall by notification,—

(i) call upon all wards in the panchayat circle to elect in the case of single-member wards, one panch each and in the case of a multi-member ward, as many panchas as may have been fixed therefor under section 5, within the time specified in the notification, and

(ii) appoint hereby—

(a) a day on or before which and the hour thereof by which nomination papers are to be presented,

(b) a day, not later than the day next succeeding the date fixed for the presentation of nomination papers, and the hour thereof, on and at which the scrutiny of such nomination papers shall be made,

(c) a day, not later than the day next succeeding the date fixed for the scrutiny of nomination papers, on or before which, and the hour thereof by which, nominations may be withdrawn,

(d) a day on which a poll shall, if necessary, be taken, and

(e) the hours within which such poll be taken,

(2) The Collector shall, by the same or a separate notification, appoint a person, by name or by virtue of his office, to act as Returning Officer for each panchayat circle.

15. *Duties and powers of Returning officers.*—(1) In addition to the duties imposed and powers conferred on a Returning Officer by or under these Rules, it shall be his general duty to do all such acts and things as may be necessary for conducting effectively an election under these Rules.

(2) In particular and without prejudice to the generality of the provision contained in sub-rule (1), the Returning Officer shall—

(a) keep order at all the polling stations and polling booths provided under rule 21,

(b) see that the poll, if held, is fairly conducted at each such station,

(c) regulate the number of electors to be admitted at any one time to a polling station, and

(d) exclude therefrom all persons except—

(i) the polling officers,

(ii) the staff appointed under rule 22 to assist them,

(iii) the candidates,

(iv) the police and other public servants on duty, and

(v) such other persons as he may admit for the purpose of identifying electors and for other purposes.



16. *Presentation of nomination papers.*—(1) On or before the day appointed under sub-clause (a) of clause (ii) of sub-rule (1) of rule 14 for the presentation of nomination papers, any person qualified under section 11 for election as a panch and desiring to seek such election, hereafter in this chapter referred to as a candidate, shall deliver to the Returning Officer his nomination paper in Form 1 duly filled in and signed by the candidate.

(2) Any nomination paper not delivered as provided in sub-rule (1) shall be rejected.

17. *Procedure upon delivery of nomination papers.*—Upon delivery of a nomination paper under rule 16, the Returning Officer, shall inform the person so delivering the same of the day, hour and place appointed for the scrutiny thereof and shall endorse thereon in his own handwriting—

(i) the serial number of the ward from which the candidate proposes to seek election,

(ii) the serial number of the nomination paper for such ward,

(iii) the name of the person delivering the nomination paper together with the name of the person, if any, identifying such person, and

(iv) the date on which, and the hour at which, the nomination paper was delivered to him.

18. *Scrutiny of nomination papers.*—(1) On the day and by the hour appointed under sub-clause (b) of clause (ii) of sub-rule (1) of rule 14 for the scrutiny of nomination papers, the Returning Officer shall examine the same.

(2) At the time of such examination the candidates themselves and no other person may attend and the Returning Officer shall afford each of them—

(i) all reasonable facilities for examining the nomination papers delivered by others, and

(ii) a reasonable opportunity of making objections to any of them.

(3) The Returning Officer shall decide all such objections and may, either on the basis of such objection or on his own motion,

reject any nomination paper on any of the following ground, namely:—

(a) that the candidate is not qualified or is disqualified for election;

(b) that he is not identical with the person whose number or name on the voters' list is stated in the nomination paper to be the number or name of the candidate;

(c) that his signature is not genuine or has been obtained by fraud, coercion or undue influence,

(d) that there has been a failure in complying with the provisions of rule 16.

(4) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, in case of rejection, a brief statement of his reasons for such rejection.

(5) The scrutiny shall be completed on the same day and no adjournment of the proceeding shall be allowed.

19. *Withdrawal from candidature.*—(1) Any candidate may withdraw his candidature by notice in writing in duplicate signed by him and delivered to the Returning officer on the date and by the hour appointed under sub-clause (c) of clause (ii) of sub-rule (1) of rule 14.

(2) No notice of withdrawal shall be entertained after the day and the hour referred to in sub-rule (1).

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the notice of withdrawal or to present a fresh nomination paper for the same election.

(4) The Returning Officer shall, on receiving a notice of withdrawal under sub-rule (1), cause, as soon as may be, one copy thereof to be exhibited at some conspicuous place in the office of the panchayat or in any conspicuous place at the headquarters of the Panchayat where no Panchayat office is established.

20. *Subsequent procedure to be observed by Returning Officer.*—(1) Immediately after the time fixed by sub-rule (1) of rule 19 has expired, the Returning Officer shall, for each ward, cause to be prepared a list in Form II showing the names of the

candidates whose nomination papers have been accepted and have not been withdrawn.

(2) If the number of such candidates is equal to or less than the number of panchas to be elected from a ward, the Returning Officer shall declare all such candidates to be duly elected.

(3) If the number of such candidates exceeds the number of panchas to be elected from a ward, the Returning Officer shall—

(i) assign a symbol to each such candidate out of the symbols mentioned in Schedule I to these [Rules or in case the number of Candidates exceeds twelve, any other symbol not belonging to any political party]

*Note*

The words, “or in case the number of candidates exceeds twelve, any other symbol not belonging to any political party” appearing in brackets have been inserted at the end of clause (i) of sub-rule (3) of rule 20 vide amending notification number five above.

(ii) have the names of all such candidates in alphabetical order published, along with the symbol assigned to each, by being affixed at the office of the panchayat, if any, and at two conspicuous places in the ward.

(iii) direct that a poll shall be taken on the date and between the hours appointed under sub-clauses (d) and (e) respectively of clause (ii) of sub-rule (1) of rule 14.

(iv) proceed to make further arrangements necessary for the holding of the poll.

(4) Ballot papers, for the purpose of the poll, shall be in Form III in Hindi written in Devnagri script and shall be serially numbered.

*Note*

The words, “books each containing one hundred serially numbered ballot papers” appearing previously at the end of sub-rule (4) have been omitted vide amending notification number three above.

(5) If, before the commencement of the poll, any such candidate becomes subject to any of the disqualifications mentioned in section 11 or dies, the Returning Officer shall, upon being satisfied of the fact of such disqualification or death.—

(a) Cancel his name in the ballot paper, and

(b) if, in consequence of such cancellation, the number of candidates referred to in sub-rule (1) becomes equal to the number of panchas to be elected from a ward, forthwith declare the remaining candidates to be duly elected.

21. *Polling stations and polling booths.*—(1) If a poll is to be held in any ward, the Returning Officer shall select a suitable place for a polling station:

Provided that the place so selected shall not ordinarily be outside the place of the headquarters of the panchayat to which the election is to be held.

(2) The Returning Officer may establish in each polling station as many polling booth, not being less than one, as he may consider necessary and, where more booths than one are so established, he shall direct in relation to each booth, that the electors of the ward, commencing from and ending with specified serial numbers on the voters list thereof, shall be admitted to cast their votes in that booth.

22. *Polling officers and other staff.*—(1) The Returning Officer shall appoint, by name or by virtue of office, as many persons as there are polling booths established in a ward in which a poll is to be held, to act as polling officers and such other staff as he thinks necessary to assist each polling officer.

(2) The polling officers and other staff appointed under sub-rule (1) shall perform such duties and exercise such powers as are imposed and conferred on them by these Rules, or as are entrusted to them by the Returning Officer.

23. *Supply of election materials.*—(1) Each polling station shall be provided with materials, including ballot papers, copies of voters' lists and ballot boxes, sufficient for the purpose of enabling electors to cast their votes.

(2) In supplying such materials, regard shall be had to the number of electors entitled to vote at that polling station and the number of polling booths established therein.

24. *Ballot boxes.*—(1) Every ballot box supplied to a polling station shall bear the name of the panchayat and the number of the ward of the panchayat circle.

(2) Every ballot box shall be so constructed that ballot papers may be introduced therein but cannot be withdrawn therefrom without the box being unlocked.

25. *Commencement of poll.*—(1) The poll shall commence at the hour appointed for such commencement.

(2) Immediately before such commencement, each polling officer shall—

(i) show every ballot box to such of the candidates as may be present at the time in verification of the fact that it is empty,

(ii) thereafter lock the same,

(iii) place a seal thereupon in such manner as to prevent its being opened or unlocked without breaking the seal, and

(iv) place it within his view.

26. *Voting to be personal and by ballot and in polling station or booth previously directed.*—(1) At every polling booth, votes shall be cast by ballot and in person and the polling officer shall not allow any votes to be cast by proxy.

(2) No elector shall be admitted to cast his vote elsewhere than in the polling station or in the polling booth as directed under sub-rule (2) of rule 21.

27. *Arrangements for secrecy of voting.*—(1) Each polling station or booth, as the case may be, shall contain a separate compartment in which electors can cast their votes screened from observation.

(2) While an elector is in such compartment, no other person shall, subject to the provision contained in rule 31, enter it, but the polling officer may occasionally enter it, along with the candidates if they so desire.

28. *Procedure before issuing ballot paper.*—Immediately before a ballot paper is issued to an elector—

(i) his number, name and description, as stated in the voters' list, shall be verified.

(ii) the number of elector shall be noted on the counterfoil of the ballot paper,

(iii) a tick mark shall be placed in the copy of the voters' list in use with the polling officer to denote that the elector has received a ballot paper,

(iv) his signature or thumb impression shall be taken on the counterfoil of the ballot paper in token of such receipt, and

(v) thereafter a ballot paper shall be issued to him.

29. *Identity of electors.*—(1) The polling officer shall satisfy himself as to the identity of the person desiring to cast his vote and may disallow the vote of any person who declines to answer any reasonable question put to him for the purpose of ascertaining such identity or whose identity is not established to his satisfaction.

(2) If however the identity of an elector is so established, he shall not be disallowed to cast his vote merely on the ground of any typographical error or omission in the relevant entries of the voters list.

30. *Manner of casting votes.*—(1) An elector shall, on receiving the ballot paper issued to him under rule 28, forthwith proceed to the polling compartment, there mark his ballot paper by affixing a seal containing a cross mark (X) opposite the name and symbol of the candidate in whose favour he desires to cast his vote, fold up the ballot paper thus marked so as to conceal his vote and put the ballot paper, so folded up, into the ballot box which shall be placed within the view of the polling officer.

(2) Every elector shall record and cast his vote without undue delay and shall quit the polling compartment, the polling booth and the polling station as soon as may be conveniently possible.

31. *Assistance to illiterate and infirm electors.*—If an elector, owing to illiteracy or physical infirmity, is unable to record his vote in the manner laid down in rule 30, the polling officer shall do so according to the directions of the elector and shall note on the counterfoil of the ballot paper the reason for such action.

32. *Spoiled ballot papers.*—An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot conveniently be used as such may, on delivering it to the polling officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoilt ballot paper and such spoilt ballot paper, to-

gether with its counterfoil, shall be marked by the polling officer as cancelled.

33. *Return of ballot papers.*—If any elector, after obtaining a ballot paper for the purpose of casting his vote, decides not to use the same or to cast his vote, he shall return the ballot paper, so issued to him, to the polling officer and the ballot paper so returned shall then be marked by the polling officer as cancelled on account of such return.

34. *Removal from polling station for misconduct.*—(1) If any person misconducts himself at a polling station, or fails to obey the lawful orders of the Returning Officer or any polling officer appointed therefor, the Returning Officer or such polling officer, as the case may be, shall immediately remove, or order any police officer present thereat to remove, from the polling station the person so misconducting himself, and such person shall not be allowed again to enter the polling station without the permission of the Returning Officer or the polling officer.

(2) No removal from a polling station shall be ordered under sub-rule (1) so as to prevent an elector, entitled to cast his vote thereat, for having an opportunity of casting the votes.

35. *Closing of poll.*—(1) The polling officer shall close the polling station at the hour appointed for such closure so as to prevent the entry therein of any elector after that hour.

(2) Any electors who have been admitted thereto before that hour shall, however, be allowed to cast their votes even after that hour.

36. *Procedure on closing of poll.*—(1) As soon as practicable after the close of the poll, the polling officer shall, in the presence of such candidates as may be present there—

(i) examine each ballot box used at the polling station to see that it is unopened and has not been tampered with,

(ii) affix his seal thereon,

(iii) make up into separate packets—

(a) the unused ballot papers,

(b) the spoilt ballot papers,

(c) the ballot papers returned and cancelled under rule 33,

(d) the marked copy of the voters list, and

(e) the counterfoils of the used ballot papers, and

(iv) affix his seal to every such packet.

(2) Subject to any directions given by the Collector or the Returning Officer in that behalf, the ballot boxes and packets referred to in sub-rule (1) shall be forwarded by the polling officer to the Returning Officer.

37. *Adjournment of poll.*—(1) The Returning Officer may, in emergencies such as a likely disturbance of the public peace, close the poll and announce an adjournment thereof to a subsequent day.

(2) The circumstances leading to such closure and adjournment shall be reported by the Returning Officer forthwith to the Collector.

38. *Counting of votes.*—(1) The counting of votes shall commence on such date and at such time and place as the Returning Officer may appoint.

(2) Such date, time and place shall be communicated to all the candidates.

(3) Votes shall be counted by or under the supervision of the Returning Officer and each candidate shall have a right to be present at the time of counting.

(4) No other person shall be allowed to be present at the counting of votes except those whom the Returning Officer may appoint to assist him in the task.

(5) The Returning Officer shall allow each candidate a reasonable opportunity to inspect, without handling, the ballot papers which he considers to be liable to rejection.

(6) Any candidate present at the counting may, at any time during the counting of votes, request the Returning Officer to recount the ballot papers of all or any of the candidates including himself and the Returning Officer shall thereupon recount the same.



(7) The Returning Officer may, in his discretion, recount the ballot papers of all or any of the candidates once or more than once, if he is not satisfied as to the accuracy of the immediately preceding count.

39. *Rejection of ballot papers.*—(1) A ballot paper shall be liable to rejection—

(i) if it bears any mark by which the elector can be identified,

(ii) if the number of votes recorded thereon exceeds the number of panchas to be elected,

(iii) if no vote is recorded thereon,

(iv) if the ballot paper or the vote recorded thereon is void for uncertainty, or

(v) if it is otherwise not in conformity with rules.

(2) No ballot paper shall be rejected otherwise than on any of the grounds enumerated in sub-rule (1).

(3) The Returning Officer shall record on every ballot paper which he rejects a brief statement of the reasons for such rejection.

(4) The decision of the Returning Officer as to the validity or otherwise of the ballot paper shall be final.

40. *Procedure in case of equality of votes.*—Where an equality of votes is found to exist between any candidates in a ward and the addition of one vote will entitle one of such candidates to be declared elected, the determination of the person to whom such additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

41. *Result of election.*—(1) When the counting of votes has been completed, the Returning Officer shall—

(a) make up separate packets of—

(i) the counted valid ballot papers, and

(ii) the ballot papers rejected at the counting

(b) affix his seal to each such packet,

(c) prepare and certify a return in form IV setting forth therein—

(i) the names and addresses of the candidates who have been declared under sub-rule (2) of rule 20 to have been elected unopposed.

(ii) the names and addresses of the candidates for whom valid votes have been cast,

(iii) the number of valid votes cast for each candidate,

(iv) the number of votes rejected as invalid, and

(v) the result of the lot, if any, drawn under rule 40, and

(d) declare the candidate, or, in case of a multi-member ward, the candidates, who has or have secured the largest number of votes, as a result of the poll or the lot drawn under rule 40, to be elected, and

(e) specify the wards which have failed to elect the requisite number of Panchas.

(2) As soon as may be possible, the Returning Officer shall forward—

(i) one copy of the return prepared under sub-rule (1) to the office of the Panchayat, if any,

(ii) one such copy each to the officer-in-charge of panchayats, and to the newly elected Sarpanch or to the Up-Sarpanch, if there is no Sarpanch,

(iii) one copy thereof, along with all papers relating to the election, to the Collector,

(iv) one such copy to the Panchayat Samiti of the Block within which the Panchayat circle lies.

42. *Custody, production, inspection and destruction of election papers.*—(1) All papers relating to election shall remain in the custody of the Collector.

(2) The packets of ballot papers, whether counted or not, and of the counterfoils thereof, shall not be opened and their contents shall not be inspected or produced except under the orders of the officer or authority competent to hold inquiries in respect of an election or of a court of competent jurisdiction.

(3) All documents other than the packets mentioned in sub-rule (2) shall be open to inspection subject to such conditions as the Collector may impose and further subject to the payment of a fee of one rupee and attested copies thereof may be obtained by any person on payment of the same fees as are prescribed for obtaining copies of revenue records.

(4) All election papers shall be retained for a period of three years computed from the date of election and thereafter shall, subject to any directions to the contrary made by the officer in charge of panchayats or the officer or authority competent to hold inquiries in respect of elections under the Act or a competent court, be destroyed.

43. *Nomination of panchas, if necessary.*—(1) Upon receipt of the copy of the return under rule 41, the officer-in-charge of panchayats [or such officer to whom the powers of the officer-in-charge of Panchayats may have been delegated by the State Government by a notification under section 70] shall forthwith appoint, where necessary under section 8, a person or persons qualified for election under section 11 as panchas and shall inform the Collector and the Panchayat office, if any, of such appointment.

#### Notes.

Words, "or such officer to whom the powers of the Officer-in-charge of Panchayats may have been delegated by the State Government by a notification under section 70." appearing in brackets have been inserted after the word "Officer in charge of panchayats" vide amending notification number two above.

(2) For this purpose he may invite recommendations from the Collector and may or may not act thereon:

44. *Notification of names of panchas.*—The names of all panchas elected or appointed under rule 43 shall be forthwith notified by the Collector of the District in the Official Gazette of the State.

45. *Power to overlook printing or clerical errors.*—If a question arises for the decision of Returning Officer or a Polling Officer under these rules whether an entry in a voters list relates to a particular person, such officer may, for reasons to be recorded in writing, decide that the entry does or does not relate to the said person, notwithstanding any clerical or printing errors therein.

46. *Bye-elections.*—(1) In the case of any of the following events, namely:—

(i) whenever a panch is appointed under section 8 and rule 43, or

(ii) whenever a panch vacates his seat or is removed from his office under section 17, or

(iii) whenever a panch resigns his office, or

(iv) whenever a panch dies, while in office, a bye-election shall be held under section 20.

*Notes.*

A panch is appointed under section 8 of the Act when electors fail to elect a panch.

Section 17 of the Act prescribes the circumstances under which a seat of Panch shall be deemed vacated and grounds on which removal of Panch can be ordered.

(2) The provisions of rules 14 to 45 shall *mutatis mutandis* apply, so far as may be, to every such bye-election.

*Notes.*

Section 20 of the Act, reading as under, makes provision for a bye-election:—

20. *Bye-election.*—In the event of the office of a Panch, Sarpanch or Up-sarpanch becoming vacant by death, removal, resignation or otherwise under this Act, which shall be forthwith reported to the [Officer-in-charge of Panchayats], an election to fill the vacancy shall be held in such manner as may be prescribed. The foregoing provisions of this Act shall apply to such election and the Sarpanch, Up-sarpach or Panch so elected or appointed shall hold office for the remainder of the term during which the out-going Sarpanch, Up-sarpanch or Panch would have been entitled to hold office if the vacancy had not occurred:

Provided that such vacancy shall not be filled up if the said term would expire within six months from the date of the occurrence of such vacancy.

47 *General provisions.*—(1) Save as otherwise provided in the Act or in these Rules, no act done or proceeding taken under or with reference to the foregoing rules shall be called in question by means of suit or otherwise in a court of law.

(2) The Collector may direct the Returning officer to postpone any election to any Panchayat if it is considered necessary and expedient in public interest so to do.

(3) Any public building within the Panchayat circle selected by the Returning Officer or the Collector, as the case may be, for the location of polling station for the purpose of conducting elections shall be placed at his disposal with effect from such day as the Returning Officer or the Collector, as the case may be, direct.

(4) If the Collector or the Returning Officer considers it necessary that educational institutions within the Panchayat circle shall remain closed on the day of poll, he may make a request to that effect in writing to the Panchayat Samiti or the Department concerned, who shall declare such day as Holiday for the educational institutions within the Panchayat Circle.

(5) All the expenses incurred in holding an election or bye-election under these rules shall be borne by the panchayat concerned. In case any panchayat fails to pay the expenses incurred as such, the Collector may, by order in writing, direct the panchayat concerned to pay the said amount within such time as may be specified in the order, and take such other action for the recovery of the amount, as he deems necessary.

#### (4) Election of Sarpanch.

##### Notes,

Sub-section (1) of section 13 requires that every Panchayat shall have a Sarpanch who must be a person qualified to be elected as a Panch and able to read and write Hindi. The rules in this part prescribe the manner in which the electors of the whole Panchayat Circle shall elect a Sarpanch.

48. *Simultaneous election of Sarpanch and Panchas.*—(1) On every occasion of a general election referred to in sub-rule (1) of rule 14, the election of the Sarpanch of a panchayat under sub section (1) of section 13 shall be held simultaneously with the election of panchas therefor.

(2) The provisions of rule 14 to 45 shall, so far as may be, apply *mutatis mutandis* to such election

(3) In every polling booth a separate polling compartment and a separate ballot box shall be provided for the casting of votes by electors in relation to the election of the Sarpanch.

(4) Every elector qualified to vote at a polling booth for election of a panch shall be issued, after he has voted for a panch or

panchas, another ballot paper by a separate polling officer for the election of the Sarpanch.

(5) In case a panchayat circle has failed to elect a Sarpanch, the fact shall be forthwith reported by the Returning Officer to the Collector, the officer in charge of Panchayats and the State Government which shall appoint a person as Sarpanch under sub-section (3) of section 13.

49. *Bye-election of Sarpanch.*—In the case of any of the following events, namely:—

(i) whenever a Sarpanch is appointed by the State Government under sub-rule (5) of rule 48, or

(ii) whenever a Sarpanch dies or resigns his office under section 18, or

(iii) whenever a Sarpanch vacates his seat or is removed from his office under section 17, or

(iv) whenever a motion of no-confidence is carried against a Sarpanch under section 19,

a bye-election shall be held under section 20.

(2) The provisions of rules 46 to 48 shall *mutatis mutandis* apply to such bye-election so far as may be.

#### Notes.

Section 20 of the Act prescribes the circumstances under which a bye-election can be held. Under section 19 of the Act office of Sarpanch become vacant by resignation or removal of Sarpanch in consequence of a motion of no-confidence.

#### (5) Co-option of Panchas.

#### Notes.

The rules in this part are meant to for the enforcement of the requirements of section 9 which reads as follows:—

9. *Co-option of certain panchas.*—(1) As soon as may be after the election of panchas and sarpanch for a panchayat, there shall be co-opted in the prescribed manner by the panchas so elected from amongst persons qualified under this Act to be elected as panchas:

(i) two woman, if no woman has been elected to the Panchayat,

(ii) one woman, if only one woman has been so elected,

- (iii) one person belonging to the Scheduled Castes, if no such person has been elected to the Panchayat, and
- (iv) one person belonging to the scheduled tribes, if no such person has been so elected and the population of such tribes in the Panchayat circle exceeds five per-cent of the total population thereof.

(2) Within fifteen days after his election the Sarpanch shall convene, under due notice in the prescribed manner, a special meeting on newly elected panchas to co-opt persons referred to in sub-section (1):

Provided that if the Sarpanch does not convene such special meeting within the aforesaid time, any officer appointed by the Collector in this behalf shall likewise convene such special meeting.

(3) If, within one month of the first meeting of the Panchayat convened for such co-option, the Panchayat fails to co-opt the requisite number of persons, the Collector shall nominate such person or persons and every person so nominated shall be deemed to have been duly co-opted.

(4) The persons so co-opted or deemed to be co-opted shall be additional Panchas of the Panchayat and shall in all respects and for all purposes be deemed to be duly elected Panchas.

50. *Notification for co-option.*—Where the newly elected Sarpanch finds, on perusing the result of the election of panchas of a panchayat, that the co-option of a panch or panchas therefor is necessary under section 9, he shall forthwith call upon panchas newly elected to co-opt the requisite number of panchas.

51. *Special meeting for co-option.*—(1) The person elected as Sarpanch shall immediately issue a notice in Form V for the special meeting referred to in sub-section (2) of section 9.

(2) The notice referred to in sub-rule (1) shall be sent to all the panchas elected as aforesaid at their addresses as given in the return under rule 41 and a copy each of the notice shall be endorsed to the Collector.

(3) A copy of such notice shall also be exhibited on the notice board of the panchayat office or in any conspicuous place at the headquarters of the Panchayat, where no Panchayat office is established.

(4) The notice shall specify the dates on which nominations may be made for co-opting the requisite number of panchas.

(5) If the Collector does not receive a copy of such notice within three days after the date on which the Sarpanch was declared

to have been elected or the date of the return under rule 41, whichever may be later, the Collector shall appoint any other officer to convene such special meeting of the panchas newly elected.

52. *Nomination for co-option.*—(1) On or before the date and time fixed in the notice issued under rule 51, any panch who has been newly elected may nominate for co-option a person fulfilling the requirements of section 9 and qualified for being elected as a panch under section 11, of each of such categories of persons mentioned in sub-section (1) of section 9 as are needed to be co-opted.

(2) Such nomination shall be made by delivery at the office of the panchayat or where, there is no such Office, to the Sarpanch on such date and before such time a notice in Form VI, duly signed by the panch making the nomination, with the written acceptance of the person proposed for co-option endorsed thereon.

(3) The Secretary of the panchayat or if there be no Secretary, the Sarpanch thereof or any other officer appointed by the Collector in this behalf shall mark on each notice of nomination the date and time of the delivery thereof.

(4) No notice of nomination shall be entertained after the hour mentioned in the notice under rule 51.

53. *Meeting for co-option.*—(1) The special meeting for co-option referred to in sub-section (2) of section 9 shall be held in the office of the panchayat or at the headquarters of the Panchayat where no Panchayat office is established on the date and at the time fixed in the notice issued under rule 51 and shall be presided over by the Sarpanch if he is present or, in his absence, by the officer, if any, appointed under the proviso to the said-section (2);

Provided that, if both of them are absent, the meeting shall be presided over by such one of the panchas present as may be chosen by them for the task.

(2) Upon the commencement of the meeting, the presiding person shall examine the notices of nominations one by one, shall afford a reasonable opportunity to the panchas present to examine the same and raise objections thereto and shall decide all such objections and may, either on such objection or of his own motion, reject any notice on any of the following grounds, namely:—



(a) that the nominee is not eligible for co-option as panch under the provisions of the Act, or

(b) that there has been a failure in complying with the provisions of these rules.

(3) If any notice of nomination is rejected, the presiding person shall record in writing a brief statement of the reason for such rejection.

(4) The names of all the nominees whose nominations are found in order shall be read out by the person presiding.

(5) If the number of nominees whose names are so read out are equal to the number of panchas to be co-opted, the person presiding shall declare all such nominees to be duly co-opted.

(6) If such number is less than the number of panchas to be co-opted, the person presiding shall declare all such nominees to be duly co-opted and shall call for fresh nominations then and there and the provisions of rules 51 and 52 and of this rule shall apply so far as may be.

(7) If the number of such nominees exceeds the number of panchas to be co-opted, the votes of the panchas present at the meeting shall be taken by show of hands in respect of each category of persons referred to in sub-section (1) of section 9 and the nominee securing the largest number of votes shall be declared to have been co-opted.

Provided that, in case of equality of votes, the result shall be declared by drawing of lots in the manner which the person presiding may think proper.

54. *Publication of the names of co-opted members.*—(1) Immediately upon the conclusion of the special meeting, a statement showing the names and addresses of the panchas co-opted thereat shall be drawn up.

(2) A copy of the statement, along with all papers relating to the co-option, shall be forwarded to the Collector for record and disposal in accordance with the provisions of rule 42.

(3) If, upon perusal of the papers received under sub-rule (2), the Collector finds that the panchayat has failed to co-opt the requi-

site number of panchas within a month of the special meeting convened for the purpose, the Collector shall appoint such panch or panchas as required by sub-section (3) of section 9.

(4) Another copy of the statement drawn up under sub-rule (1) shall be forwarded, and the name and address of every panch appointed under sub-rule (3) shall be communicated forthwith to the officer in charge of panchayats.

(5) The Collector shall also immediately cause to be published in the official Gazette the name and address of every panch co-opted or appointed under section 9 in accordance with these Rules.

55. *Bye-co-option.*—If any vacancy occurs in the office of a co-opted Panch and the necessity for such co-option continues to exist under section 9, steps shall be taken by the Sarpanch to have another panch co-opted to fill up vacancy and the provisions of rules 50 to 54 shall apply to such bye-co-option so far as may be.

#### (6) *Election of up-sarpanch.*

#### *Notes*

According to sub-section (2) of section 13 of the Act every panchayat shall have Up-Sarpanch, having qualifications of being elected as a Panch and possessing ability of reading and writing Hindi. The rules 56 and 57 prescribe the manner in which a Up-Sarpanch shall be elected by the Panchas of a Panchayat.

56. *Meeting for election of up-sarpanch.*—Immediately after the co-option of panchas under rules 50 to 54, the sarpanch shall convene a meeting of the newly elected and co-opted panchas on a date, time and place to be fixed by him for the purpose of electing an up-sarpanch from amongst themselves.

Provided that, if the Sarpanch does not convene such meeting within a week from the date on which the result of co-option is declared or the election does not take place within a fortnight of the date on which the result of the co-option is declared for any cause whatsoever, or in case the post of the Sarpanch is vacant for any cause, an Officer appointed by the Collector in this behalf shall convene such meeting.

57. *Procedure for election.*—(1) At the meeting, each panch present thereat may propose in writing the name of any panch for election as up-sarpanch.

Provided that all such proposals shall be made within an hour of the commencement of the meeting and no proposal shall be entertained or received thereafter.

(2) If such panch is not present at the meeting his acceptance in writing of the proposal shall be submitted along with the proposal.

Provided that in case the panch proposed for such election is present at such meeting, his written acceptance shall not be necessary if he signifies, such acceptance orally.

(3) The person presiding shall read out the names of the persons duly proposed.

(4) Subsequently the procedure laid down in sub-rules (2) to (7) of rule 53 shall be observed as far as possible.

(5) In other respects the provisions contained in rules 42, 48 and 49 shall apply as far as may be.

(7) *Election of members and chairmen of Nyaya Panchayats.*

#### Note

The rules 58 to 61 and 64 to 71 have been framed for the purpose of prescribing matters as referred in and required by sections 27 B and 27 C of the Act

58. *Calling upon panchayats to elect members of Nyaya Panchayats.*(1) As soon as may be after the election and co-option under these Rules of the first Panchas, and the election thereunder of the first sarpanch, for the panchayat of a Panchayat circle, the Collector shall, if such Panchayat circle has been included in a Nyaya circle constituted under section 27 B, call upon such sarpanch and panchas to elect a person, not disqualified under subsection (3) of section 27 C, as a member of the Nyaya Panchayat of such Nyaya circle.

(2) The provisions of rules 51 to 54 shall *mutatis mutandis* apply, so far as may be, to every such election.

59. *Bye-election.*—After the first elections under rule 58, a bye-election shall be held, as and when necessary upon the occur-

ence of a vacancy or upon the retirement of any member under sub-section (7) of section 27 C or upon the inclusion of a Panchayat circle in a Nyaya circle under sub-section (2) of section 27 B, and the provisions contained in rule 58 shall, as far as may be, apply to every such bye-election.

60. *Election of Chairman.*—(1) As and whenever necessary, an officer appointed by the Collector in this behalf (hereinafter referred to as the presiding officer) shall convene a meeting of the members of a Nyaya Panchayat on a date and at the time and place fixed by him for the election of a Chairman of the Nyaya Panchayat as provided in sub-section (6) of section 27 C.

(2) The notice of such meeting shall be given in writing to each such member so as to reach him not later than seven days before the date fixed for the meeting.

61. *Procedure to be observed.*—(1) At the meeting referred to in rule 60, the procedure laid down in rule 57 shall, as far as possible, be observed and the provisions thereof shall *mutatis mutandis* apply.

(2) The result shall be reported to the Collector and the officer-in-charge of Panchayats.

#### (8) *Oath or affirmation.*

##### *Notes*

Every election or appointment of Sarpanch, Up-Sarpanch and Panch is required to be notified under section 14 of the Act. Section 15 of the Act, reading as under, requires every Panch, Sarpanch or Up-Sarpanch to take oath or affirmation of his office in the prescribed manner. By virtue of section 27 (5), these provisions are also applicable in the case of the member of Nyaya Panchayat or Chairman thereof. Rules 62 and 63, therefore, prescribe the manner in which aforesaid oath or affirmation by these persons shall be taken.

62. *Form of oath or affirmation.*—The oath or affirmation to be made under section 15 by panch, whether elected, co-opted or appointed, or by a sarpanch, whether elected or appointed or by a member of a Nyaya Panchayat shall be in the form set out in Schedule II to these Rules.

63. *Time and manner of making oath or affirmation.*—(1) The oath or affirmation shall be made by a Panch, Sarpanch or

member of a Nyaya Panchayat within three months from the date of the notification of his name under section 14.

(2) Subject to the provision contained in sub-rule (1), such oath or affirmation may be made at any time after the declaration of the result,—

- (i) before the Returning Officer, or
- (ii) before the Tehsildar concerned or any other officer appointed in this behalf by the officer-in-charge of panchayats, or
- (iii) before the Collector, or
- (iv) in the case of a panch, whether elected, co-opted or appointed, before the Sarpanch, or
- (v) at any meeting of the Panchayat or Nyaya Panchayat and the forms of oaths or affirmations subscribed at the time of making them shall be sent to or retained in the office of the Collector for a period of four years upon the expiry of which they shall be destroyed.

(9) *Retirement of members of Nyaya Panchayats.*

64. *When members of a Nyaya Panchayat to retire.*—(1) A member of a Nyaya Panchayat shall retire from his office—

(i) upon the exclusion from the Nyaya circle under sub-section (2) of section 27 B of the Panchayat circle, the panchayat whereof elected him as such, or

(ii) when required to do so under rules 65 to 68 or under rule 69 or under rule 70, and the names of the members so retiring shall be notified by the Collector in the official Gazette.

(2) The Collector shall, every second year, determine the number of members of a Nyaya Panchayat that shall retire upon the expiry of that year as provided in sub-section (7) of section 27 C.

65. *Meeting for determining members of Nyaya Panchayats to retire first.*—(1) Before the expiration of two years from the date of formation of a Nyaya Panchayat, such officer, not below the rank of a Tehsildar, as may be authorised by the Collector in this behalf shall convene a meeting of such Nyaya Panchayat on a date and

time to be fixed by such officer for the purpose of determining the members of the Nyaya Panchayat who shall first retire as provided in sub-section (7) of section 27C.

(2) A notice of such meeting shall be sent to every member of the Nyaya Panchayat so as to reach him not later than the seventh day before the date fixed for the meeting.

66. *Procedure at meeting*—(1) At such meeting the officer convening it shall preside.

(2) He shall prepare as many chits of blank paper as there are members of the Nyaya Panchayat including the Chairman and write before all such members the name of each of them separately on one of such chits

(3) When the chits bearing the names of all such members have been prepared and initialled by the said officer they shall be folded up so as to conceal the names written thereon and then mixed up together and put in a vessel so that they may not be visible from outside.

(4) The vessel containing the chits shall be placed in the centre of the place where the meeting is held and a stranger shall be called upon to draw out one by one from the vessel, by thrusting his hand therein to and without looking into the interior thereof, as many folded chits as there are members to retire, as determined under rule 64.

(5) The presiding officer shall take each chit so drawn out, unfold it and read out the name of the member written thereon and note his name in the proceeding drawn up under rule 67.

67. *Proceeding of meeting to be drawn up*.—(1) The presiding officer shall draw up a proceeding of the meeting, setting out therein clearly every thing done and every step taken and the names of the members whose names appear on the chits drawn out under rule 66.

(2) One copy each of the proceeding shall be transmitted to the Panchayat office, to the Nyaya Panchayat office, to the Collector and to the Officer-in charge of panchayats.

68. *Retirement of members*.—The members of the Nyaya Panchayat whose names appear on the chits drawn under rule 65

shall retire from office upon the expiration of two years from the date of formation of the Nyaya Panchayat.

69. *Second retirement.*—(1) On the occasion of the second retirement of members of the Nyaya Panchayat, as provided in sub-section (7) of section 27C, a meeting shall be held, before the expiration of four years from the date of its formation, as provided in sub-rule (1) of rule 65.

(2) At this meeting the members to be retired, as determined under rule 64, shall be selected out of such of the first members of the Nyaya Panchayat as did not retire on the first occasion.

(3) The provisions of rules 65 to 68 shall apply to such meeting and such retirement subject to the modifications set out in sub-rule (4).

(4) The modifications referred to in sub-rule (3) are—(a) that under sub-rule (2) of rule 66 the presiding officer shall prepare chits equivalent in number to the number of unretired members referred to in sub-rule (2), and (b) that the members selected for retirement at this meeting shall retire, as provided in rule 68, upon the expiration of four years from the date of formation of the Nyaya Panchayat.

70. *Third and subsequent retirements.*—(1) On the occasion of the third or any subsequent retirement, as provided in sub-section (7) of section 27C, no meeting shall be held.

(2) After the retirement referred to in rule 69, the members to be retired on the expiration of every second year as determined under rule 64, shall be those who have been longest in office as such members.

71. *Explanation as to period of office.*—The provisions of rules 69 and 70 shall be subject to the provision contained in section 20 and a member elected under that section at a bye-election to fill up a vacancy caused by death, removal, resignation or otherwise then by retirement shall be deemed, for the purposes of these rules, to have been in office as from the date on which the person whose vacancy he has so filled up came into office, whether as a result of the first election of members for the Nyaya Panchayat or as a result of any subsequent election upon retirement under sub-section (7) of section 27C.

*(10) Prohibited acts, and corrupt practices.*

72. *Panchayat servant not to canvass.*—A servant of the Panchayat or Nyaya Panchayat shall not canvass or otherwise interfere or in any way use his influence in an election.

73. *Election Officers prohibited from acts in furtherance of prospects of candidates.*—No person who is a Returning Officer or a Polling Officer or an officer or clerk appointed by the Returning Officer to perform any duty in connection with an election shall, in the conduct and management of the election, do any act in furtherance of the prospects of the election of any of the candidates.

74. *Secrecy of election to be maintained by Officers.*—No person who is entrusted with any duties in connection with an election under this chapter shall divulge, or wilfully allow or cause to be divulged, any information as to the candidate for whom any vote has been given in any particular ballot paper.

75. *Prohibited acts.*—(1) No person shall—

(i) alter or tamper with the voters list or its copy or other documents in contravention of the rules contained in this chapter, or

(ii) deface, injure, disturb or remove any copy, notice or other document fixed up under these rules at any public office or elsewhere, or

(iii) obstructs, or in any way interfere with, any officer, servant or person appointed or employed for the purposes of the Rules contained in this chapter, while in the performance of his duties, or

(iv) carry on his person, within a radius of 100 yards of the polling station, any arms or weapons of any kind or

(v) use a ballot paper otherwise than for the purpose for which it is meant, or

(vi) convene or hold any public meeting or do any kind of propaganda work in support of his election within 100 yards of the polling station on the date on which a poll is to be taken, or

(vii) impersonate an elector.



(2) The use of any conveyance for the purpose of transporting electors from their residence or any other place to the polling station by candidates or at their expense is prohibited.

76. *Penalties*.—(1) Any person contravening the provisions of rule 72 or rule 73 or rule 74 shall, on conviction, be punishable with simple imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

(2) A person committing any of the acts prohibited by rule 75 shall, on conviction, be punishable with fine which may extend to one thousand rupees.

77. *Corrupt practices*.—The following shall be deemed to be corrupt practices for the purposes of an election under these Rules, namely:—

(1) Bribery, that is to say, any gift, offer or promise by a candidate or by any other person of any gratification to any person whomsoever with the object, directly or indirectly, of inducing—

(a) a person to stand or not to stand as, or to withdraw from being, a candidate or to retire from contest at an election; or

(b) an elector to vote or refrain from voting at an election; or as a reward to—

(i) a person for having so stood or not stood, or for having withdrawn his candidature, or

(ii) an elector for having voted or refrained from voting,

*Explanation*.—For the purposes of this clause the term “gratification” is not restricted to pecuniary gratification or gratification estimable in money, and it includes all forms of entertainment and all forms of employment for reward but it does not include the payment of any expenses bona-fide incurred at, or for the purpose, of any election.

(2) Undue influence, that is to say, any direct or indirect, interference or attempt to interfere on the part of a candidate or of any other person, with the free exercise of the right to vote :

Provided that —

(a) without prejudice to the generality of the provisions of this clause any such person as is referred to therein who—

(i) threatens any candidate, or any elector, or any person in whom a candidate or an elector is interested, with injury of any kind including social ostracism and excommunication or of expulsion from any caste or community; or

(ii) induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure;

shall be deemed to interfere with the free exercise of the right of such candidate or elector to vote within the meaning of this clause;

(b) a declaration of public policy, or a promise of public action or the mere exercise of a legal right without intent to interfere with the right to vote shall not be deemed to be interference within the meaning of this clause.

(3) The systematic appeal by a candidate or by any other person to vote or refrain from voting on grounds of caste, race, community or religion or the use of, or appeal to, religious symbols, or the use of, or appeal to, national symbols, such as the national flag or the national emblem, for the furtherance of the prospects of that candidate's election.

(4) The publication by a candidate or by any other person of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal from contest of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.

(5) The hiring or procuring, whether on payment or otherwise, of any vehicle or vessel by a candidate or by any other person on behalf of the candidate for the conveyance of any elector (other than

the candidate himself or any member of his family) to or from any polling station or place fixed for the poll :

Provided that the hiring of a vehicle or vessel by an elector or by several electors at their joint cost for the purpose of conveying him or them to or from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause if the vehicle or vessel so hired is a vehicle or vessel not propelled by mechanical power :

Provided further that the use of any public transport vehicle or vessel or any tramcar or railway carriage by any elector at his own cost for the purpose of going to or coming from any such polling station or place shall not be deemed to be a corrupt practice under this clause.

*Explanation.*—In this clause the expression “vehicle” means any vehicle used or capable of being used for the purpose of road transport whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise.

(6) The incurring or authorising by a candidate or by any other person of expenditure in contravention of the provision of any rule or order relating of election.

(7) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or by any other person any assistance (other than the giving of vote) for the furtherance of the prospects of the candidate's election from any person in the service of the Government or any local authority and belonging to an of the following classes, namely :—

- (a) gazetted officers;
- (b) stipendiary judges and magistrates;
- (c) members of the armed forces of the Union;
- (d) members of the police force;
- (e) excise officers;
- (f) revenue officers including village accountants such as patwaries and the like but excluding other village officers;
- (g) such other class of persons in the service of the Government as may be notified.

(h) members of the Rajasthan Panchayat Samiti and Zila Parishad Service, Rajasthan Panchayat Samiti and Zila Parishad (Class IV) Service and persons placed on deputation under section 26 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959, and

(i) employees of other local authorities.

*Explanation.*—The word “candidate” means for the purposes of this rule and rules 78 to 86, the person who stood for, or was nominated for, the election to which an election petition pertains.

#### Notes

The words, “or any local authority” appearing in brackets after the word, “Government,” in sub-rule (7) of rule 77 have been inserted vide amending notification number two above.

Word, “and” occurring between clauses (f) and (g) of sub-rule (7) has been omitted and clause (h) appearing now has been added vide the same amending notification number two.

#### (11) *Election disputes.*

78. *Manner of challenging an election or co-option under Rules.*—The election or co-option of any person as the panch of a panchayat or the election of any person as the Sarpanch or Un-Sarpanch of a Panchayat or as the member or Chairman of a Nyaya Panchayat may be called in question by presenting a petition to the Munsif, or, where there is no Munsif, to the Civil Judge, within whose jurisdiction the place of Headquarters of the panchayat or the Nyaya Panchayat, as the case may be, is situated, within thirty days from the date on which the result of such election or co-option is declared, on any one or more of the following grounds:—

(a) that on the date of election or co-option, a returned candidate was not qualified, or was dis-qualified, for such election or co-option, or

(b) that any corrupt practice was committed by a candidate or by any other person with the consent or connivance of the candidate, or

(c) that any nomination was improperly rejected; or

(d) that the result of the election or co-option, as the case may be, in so far as it concerns the returned candidate was materially affected—

(i) by the improper acceptance of any nomination, or

(ii) by any corrupt practice committed in the interest of the candidate by a person other than that candidate or by a person acting with the consent or connivance of such candidate, or

(iii) by the improper reception, refusal or rejection of any vote or the reception of any vote which was void, or

(iv) by any non-compliance with the provisions of the Act or of these Rules, or

(c) that in fact the petitioner or some other candidate received a majority of the valid votes, or

(f) that, but for the votes obtained by the returned candidate by corrupt practices, the petitioner or some other candidate would have obtained a majority of the valid votes.

79. *Who may present election petition*—(1) A petition under rule 78 may be presented by an elector or by any candidate at such election or co-option, as the case may be.

*Explanation I.*—"elector" means the person who was entitled to vote at the election or co-option to which the petition relates, whether he has voted at such election or co-option or not.

*Explanation II.*—The petition shall be deemed to have been duly presented if it is delivered by the person making the petition or by a person authorised in writing in this behalf by the person making the petition.

(2) etition shall be deemed to have been presented under these rules unless the petitioner deposits a sum of Rs. 50 along with the petition by way of security for the costs of the opposite party.

80. *Contents and verification of election petition*.—(1) The petition shall contain a concise statement of the material facts on which the petitioner relies and shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (Central Act V of 1908), for the verification of pleadings.

(2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified by him in the same manner as the petition.

81. *Parties to the petition.*—The person whose election or co-option, as the case may be, is challenged, and, where the petition claims that any other candidate shall be declared as elected in place of such person, every unsuccessful candidate who has polled more votes than such candidate, shall be made a respondent to the petition.

82. *Appearances and acts.*—Any appearance, application or act before the Munsif or the Civil Judge, as the case may be, may be made or done by the party in person or by a pleader duly appointed to act on his behalf.

83. *Hearing of petition.*—The procedure provided in the Code of Civil Procedure, 1908 (Central Act V of 1908), in regard to suits, shall, in so far as it can be made applicable, be followed in the hearing of the petition:

Provided that—

(a) any two or more petitions relating to the election or co-option of the same person shall be heard together.

(b) the Munsif or the Civil Judge, as the case may be, shall not be required to record evidence in full but shall only make a memorandum thereof sufficient in his opinion for the purpose of deciding the petition,

(c) the petitioner may, at any stage of the proceeding, be asked to give further security for the payment of the costs likely to be incurred by any respondent,

(d) the Munsif, or the Civil Judge, as the case may be, shall only be bound to require the production of, or to receive, so much evidence, oral or documentary, as he considers necessary, and

(e) no witness or other person shall be required to state for whom he has voted at an election or co-option.

84. *Powers of court hearing petition.*—The Munsif or the Civil Judge, as the case may be, hearing a petition shall have the same powers and privileges as a judge of a Civil Court when trying a suit and may for the purpose of serving any notice or issuing any

process or doing any other thing, employ an officer, clerk or peon attached to his court:

Provided that no injunction or stay order shall be issued restraining the person, whose election or co-option is questioned, from exercising the powers and performing the duties under the Act and Rules made thereunder.

*Notes.*

Proviso to rule 84 has been newly added vide amending notification number six above.

85. *Order of Court.*—(1) Upon the conclusion of the hearing, Munsif or the Civil Judge shall make an order—

- (a) dismissing the petition, or
- (b) declaring the election of all or any of the returned candidates to be void, or
- (c) declaring the election of all or any of the returned candidates to be void and the petitioner or any other candidate to have been duly elected.

(2) The Munsif or the Civil Judge, as the case may be, after pronouncing the order made under sub-rule (1), shall send a copy thereof to the Collector for taking further necessary action in pursuance thereof.

86. *Execution of order as to costs.*—Any order with regard to costs passed by the Munsif or the Civil Judge shall be executed by him on application made in that behalf in the same manner and by the same procedure as if it were a decree for the payment of money made by himself in a suit.

### CHAPTER III

#### *Miscellaneous.*

87. *Manner of serving the order of requisition of vehicles etc.*—The order of requisition under sub-section (2) of section 83A shall be served—

(a) Where the person to whom such order is addressed is a corporation or firm, in the manner provided for the service of summons in rule 2 of Order XXIX or rule 3 of Order XXX, as the case may be in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908); and

(b) where the person to whom such Order is addressed is an individual—

(i) personally by delivering or tendering the order; or

(ii) by registered post, or

(iii) if the person cannot be found, by leaving an authentic copy of the order with any audit member of his family or by affixing such copy to some conspicuous part of the premises in which he is known to have last resided or carried on business or personally worked for gain.

88. *Time for application.*—The time within which the owner of a vehicle, vessel or animal who is aggrieved by the amount of compensation determined under sub-section (1) of section 83B, may make an application to the State Government in this behalf shall be fourteen days from the date of receipt of intimation of determination of the amount of such compensation.

#### Notes.

Chapter III has been newly added and previous rule 87 has been re-numbered as rule 89 vide amending notification number four above.

89. *Supersession of existing rules.*—On these rules coming into force, the Rajasthan Panchayat Election Rules, 1954, shall in respect of the matters covered by these rules, stand superseded.

#### FORM I

(See Rule 16)

Election to/	...	.. Panchayat	....	....
....	....	....Panchayat Samiti	....	....District.

(To be filled by the Candidate)

I hereby give notice that I propose myself ... .. as  
a candidate for election as Panch/Sarpanch to the above Panchayat  
from ward No ... ..

1. Full name .. .. .

2. Number in the list of voters.

3. Name of the candidate's father/husband

I, further declare that—



(1) I am qualified to be a Panch/Sarpanch under the provisions of the Rajasthan Panchayat Act, 1953, and

(2) I am not subject to any of the disqualification specified in section 11 of the said Act.

[(3) I/do not/belong to the Scheduled castes/scheduled tribes)

Date

Place

*Signature of the candidate.*

*(To be filled by the Returning Officer)*

S. No. of the ward from which the candidate proposes to seek election.... ..

S. No. of the nomination paper for such ward/seat ... ..

This nomination was presented to me at ... ..

(hrs) ... ..on ... .. (date) by Shri/Smt.... ..  
... .. (candidate).

Decision accepting or rejecting the nomination paper.

I have examined the nomination in accordance with the provisions of these rules and decide as follows;—

Date *Returning Officer.*

### **Receipt for nomination paper.**

S. No. of the ward [name of seat] from which the candidate proposes to seek election ... ..

S. No. of nomination paper for such ward/seat.... ..

The nomination paper of ... ..a candidate for election as Panch/Sarpanch was delivered to me at... ..(hrs.)  
on.... .. (date) by Shri ... ..  
accompanied by Shri.... ..as identifier.

The nomination paper will be taken up for scrutiny at ... ..  
(hrs.) on.... ..(date) at ... ..(place).

Date *Returning Officer,*

Place *Panchayat Election.*

### **Notes.**

Item (3) appearing in brackets and words and oblique, "name of seat" appearing in brackets in Form I have respectively been inserted vide amending notifications number two and five.

## FORM II

(See Rule 20)

List of validly nominated candidates whose nomination papers have been accepted and have not been withdrawn.

Election to the...	....	....Panchayat....	....	...
Panchayat Samiti ...	....	... District ..	....	....
		Date of election ..	....	....

TO BE FILED IN FOR THE  
SEATS OF PANCHAS.

TO BE FILLED IN FOR THE  
SEAT OF SARPANCH.

S. No.	Name of the candidate along with name of father/husband in Hindi alphabetical order.	Distinctive Symbol allotted.	S. No.	Name of the candidate along with the name of father/husband in Hindi alphabetical order.	Distinctive symbol allotted.
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Date

Place

Signature of the Returning Officer.

## FORM III

(See rule 20 (4))

Ballot paper.  
Election to...  
Panchayat for the seat/s  
of Panchas/Sarpanch.

Counterfoil

Ballot paper.  
Election to...  
Panchayat for the seat/s  
of Panchas/Sarpanch.

Outerfoil

Serial No.	S. No.	Candidates symbol.	Name of candidate.	For mark (X) by voter.
	1	2	3	4
1. Ward No.	1.			
2. Voter's number in the list of voters.	2.			

3.

3. Voter's signature or thumb impression.

*Notes.*

Words, "Serial No" and "Book No." below the word "Outerfoil" have been inserted, words "Book No" wherever occurring in form No. III have been omitted vide amending notifications numbers one and three respectively.

Words and brackets, "(Seal or signature of the Returning Officer to be affixed on the reverse of the counterfoil as well as on the outerfoil" occurring previously at the end of Form III have been omitted vide amending notification number five above.

FORM IV

(See Rule 41)

Return showing the results of election for the seat/s of Panchas/Sarpanch.

Panchayat ... ..

Panchayat Samiti.... ..

District... ..

Date of election.... ..

S. No. of the ward	Names of the candidates declared unopposed under Rule 20 (2)	Names of the candidates for whom valid votes have been cast
1	2	3

Particulars of the candidates mentioned in columns (2) and (3)

4

Address	Caste	Educational Standard whether illiterate, below middle or above middle	Age in years	Occupation	Whether held Office of Panch or Sarpanch previously
(a)	(b)	(c)	(d)	(e)	(f)

No. of valid votes cast for each candi- date	No. of votes rejected as invalid	Result of lot, if any under rule 40	Remarks
5	6	7	8

I hereby declare that the following candidates/candidate have/  
has been elected as Panchas from the Wards specified against each/  
and/as Sarpanch of the above Panchayat:—

S. No.	Name and address of the candidate	Sex	Caste	S. No. of ward/ name of the seat	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

Place

Date

*Returning Officer.*

#### Notes.

Present form has been substituted for the previous one vide amending  
notification number one above.

### FORM V (See Rule 51)

11 Panchas.

.... .... .... Panchayat.

#### NOTICE

In pursuance of Rule 51. .. of the Rajasthan Panchayat  
and Nyaya Panchayat Election Rules, 1960, I.... Sarpanch  
Panchayat.... /Officer appointed by the Collector.....  
District ... do hereby give notice that a meeting of the Pan-  
chayat shall be held on ... (date) at.... (hours)  
at the.... to co-opt the following categories of persons  
under section 9 of the Rajasthan Act, 1953.

1) Female Sex	Scheduled castes.	Scheduled tribes.	Total.
---------------	-------------------	-------------------	--------

2) Nomination papers may be delivered by a panch not later  
than.... (time) of.... 1960.

(3) In the event of the number of candidates exceeding the num-  
ber of persons required for each category, further procee-  
dings to co-opt shall be held on.... between the hours  
of.... and....

- (4) You are requested to kindly attend the said meeting at the aforesaid date, time and place.

Place ..... Sarpanch/Officer appointed  
by the Collector.

Dated ..... Panchayat.  
..... Tehsil.... District.

*Note:*—This form may be used for the election of the members of the Nayaya Panchayat, the Chairman thereof and the election of an Up-sarpanch with such variations as may be necessary.

## FORM VI

(See Rule 52)

### Nomination Paper

Co-option to ... Panchayat... Panchayat Samiti  
... District.

(To be filled by the proposer)

I hereby nominate Shri ... as a  
Smt.

candidate for co-option as panch to the above Panchayat:—

- (1) Name of candidate's father/husband.
- (2) Sex of the candidate.
- (3) Caste of the candidate.
- (4) Number of the candidate in the list of voters.

*Signature of the proposer.*

(To be filled by the candidate)

I, the above named candidate, assent to the nomination and hereby declare that—

- (i) I am qualified to be a Panch under the provisions of the Rajasthan Panchayat Act, 1953, and
- (ii) I am not subject to any of the disqualifications specified in Sec. 11 of the said Act.

Date

*Signature of the candidate*

Place

*(To be filled by the Secretary of the Panchayat or the Sarpanch  
or the Officer appointed by the Collector)*

S. No. of the nomination paper ... ..

This nomination was presented to me at.... (hrs.)

... ..on ... ..'date) by Shri/Smt....

Decision accepting or rejecting the nomination paper.

I have examined the nomination in accordance with the provisions of these rules and decide as follows:—

*Date Sarpanch/Officer appointed by the Collector.*

*Note:—*This form may be used for the election of the members of the Nyaya Panchayat and the Chairman thereof and for the election of an Up-sarpanch with such variations as may be necessary.

### SCHEDULE I (See Rule 20 (3))

1. Scales.
2. Star.
3. Sheep.
4. Cart.
5. Arrow.
6. Horse.
7. Cycle.
8. Crescent Moon.
9. Elephant.
10. Lion.
11. Bus.
12. Engine.

### SCHEDULE II (See Rule 62) Form of Oath

I.... .. having become a Panch/  
Sarpanch/member of the Panchayat/Nyaya Panchayat, Swear in  
the name of God/solemnly affirm that I will bear true faith and  
allegiance to the Constitution of India as by law established and that  
I will faithfully discharge the duty upon which I am about to enter.

By Order of the Governor,  
G. K. BHANOT,  
*Dy. Secretary to Government.*

# RAJ. PANCHAYAT & NYAYA PANCHAYAT (ELECTION) RULES, 1960

Notification No. F. 1 (1) (4) V/Elec./63.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby makes the following amendment in the Rajasthan Panchayat and Nyaya Panchayat Election Rules, 1960, namely :—

## AMENDMENT

In sub-rule (2) of rule 11 of the said Rules, after the words “Every such list shall be revised simultaneously with”, the comas and words, “or soon as may be after” shall be inserted.

[Raj Gaz. Dt. 12-9-63, Election Department, Part IV (Ga.)-Page 271).

Notification No. F. 1 (1) I/Elec./Dir./63.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby makes the following amendments in the Rajasthan Panchayat and Nyaya Panchayat Election Rules, 1960, namely :—

In the said rules,—

1. for the existing rule 6, the following rule shall be substituted, namely :—

### ‘6. Preparation of Voters Lists —

- (1) The list of voters for each ward shall be prepared in Hindi in Deonagri Script in accordance with the provisions of section 10.
- (2) The names of the electors in each list shall be arranged in the order of the serial number of houses comprised in each ward.
- (3) Whenever limits of Wards of a Panchayat Circle are revised or, when a Panchayat is constituted or re-constituted such lists shall be prepared by adopting the electoral roll State Assembly Constituency relatable to the area comprised in the wards and shall also contain names of all other persons entitled to be registered as electors under the Act after enquiry from house to house.

2. in rule 8,—

- (i) in sub-rule (1), between the words “to the Collector” and “an application” the following words shall be inserted, namely :  
“personally or through messenger or by post”.
- (ii) after the existing sub-rule (1), the following sub-rules shall be added, and the existing sub-rule (2) shall be renumbered as sub-rule (5) thereof namely:—
- “(2) Every claim shall be in Form VII and be signed by the person desiring his name to be included in the voters list.

- (3) Every objection to the inclusion of name in the voters list shall be in Form VIII and preferred by person whose name is already included in the voters list of a ward.
- (4) Every objection to a particular or particulars of entry in the voters list shall be in Form IX and shall only be preferred by the person to whom the entry relates.
- (5) A claim or objection shall be accompanied by any documents on which the claimant or objector relies."

3. in rule 9,—

(1) the following new proviso shall be added to sub-rule (1) namely:—

"Provided that before deleting the name of a voter, he shall be given an opportunity of being heard."

(1) for the existing sub-rule (3) the following sub-rule shall be substituted:—

"Each voters list shall be amended in accordance with such decision."

4. in rule 10, for the words "revenue records" the words "Assembly Electoral Rolls" shall be substituted.

5. for rule 11, the following rule shall be substituted, namely:—

"11, Duration of list.—

Every list of voters referred to in sub-rule (4) of rule 9 shall continue in force until revised in accordance with rule 11-A".

6. after rule 11, the following new rule shall be added, namely:—

"11-A. Annual revision of voters list.—

(1) Subject to the provisions of sub-rule (3) Voters Lists for each ward shall be revised by reference to 1st January every year.

(2) In carrying out the revision referred to in sub-rule (1) list of amendments to voters lists shall be prepared on the basis of such information as is readily available and the voters list together with list of amendments shall be published in draft and the provisions of rules 7 to 9 shall apply in relation to such revision

**Explanation.**—All additions, alterations omissions or other amendments made under the Representation of the People Act, 1950 (Central Act XLIII of 1950), or the rules framed thereunder. in the Assembly rolls relatable to the area of the ward, shall be incorporated in the said list of amendments.

(3) Notwithstanding anything contained in sub-rule (2) the Government may direct intensive revision of the voters lists of any or all Panchayat Circles in any year and in case of such revision, the names of all persons entitled to be registered in the list of voters under the Act shall be entered after enquiry from house to house as far as possible.

(4) In the intensive revision under sub-rule [3] the Government may direct either preparation of voters lists afresh or the list of amendments, and the existing voters lists together with the lists of amendments or



the voters lists prepared afresh, as the case may be, shall be published in draft and provisions of rule 7 to 9 shall apply in relation to such revisions."

7. for the existing rule 12, the following rule shall be substituted,  
 "12 (1) Interim alterations.—

If the Collector on his own motion or on the application made to him is satisfied after such enquiry as he thinks fit, that any entry in a voters list:—

- (a) is erroneous or defective in any particular,
- (b) should be transposed to the voters list of another ward on the ground that the person concerned has changed his place of ordinary residence, or
- (c) should be deleted on the ground that the person concerned is dead or has ceased to be ordinarily resident of the ward or is otherwise not entitled to be registered in the lists, he shall amend, transpose or delete the entry :

Provided that before taking any action under this sub-rule the Collector shall give the person concerned a reasonable opportunity of being heard in respect of the action proposed to be taken in relation to him.

[2] Any person, whose name is not included in the voters list of a ward, may apply to the Collector for inclusion of his name in that list and the Collector, if satisfied, that the applicant is entitled to be registered in such list, direct his name to be included therein

[3] Where an application referred to in sub-rule [2] is made at any time after issue of public notice under rule 14, it shall be accompanied by a fee of 50 Paise payable by means of non judicial stamps.

[4] The Collector may cause to be corrected any clerical error in the voters list at any time.

[5] The voters list altered in accordance with this rule shall be deemed to be the list for the time being in force.

[6] The applications referred to in sub-rule [1] and [2] shall be in Form VII, VIII and IX, as the case may be".

[8] After rule 12—A, the following new rule shall be added, namely:—

**"12-B.—Appeals —**

(1) An appeal shall lie from an order passed under rule 9 or 12-

[a] by the subordinate officer referred to in section 10 [1] and rule 12-A to the Collector;

[b] by the Collector to the Revenue Appellate Authority appointed under section 20—A of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956), having jurisdiction, within the period of 15 days from the date of order :

“Provided that an appeal shall not lie where a person desiring to appeal has not availed himself of his right to be heard by or to make representation to the Collector or the subordinate officer, as the case may be, on the matter which is the subject of appeal.

[2] such appeal shall be—

- (a) in the form of memorandum signed by the applicant ;
- (b) accompanied by a copy of the order appealed from and a fee of rupees three shall be paid in non judicial stamps; and
- (c) presented to the Collector or Revenue Appellate Authority as the case may be or sent by registered post or as to reach him within the said period.”

[3] the presentation of an appeal under this rule shall not have the effect of staying or postponing any action to be taken by the Collector or subordinate officer under rule 9 or 12.

Provided that no injunction or stay order shall be issued in case where the subject of appeal is an order made under rule 9.

[4] decision of the authority to whom appeal has been preferred, shall be final, but in so far as it reverses or modifies the decision of Collector or subordinate officer, shall take effect only from the date of decision in appeal.”

9. in rule 14,—

(i) for the word “Notification” wherever occurring in the rule, the words “public notice” shall be substituted.

(ii) in sub-rule (2), the words “by the same or a separate notification” shall be deleted

10. in sub-rule (1) of rule 16, after the word “deliver” the words “in person” shall be added.

11. in sub-rule (1) of rule 19, after the word “delivered” the words “in person” shall be added.

12. in rule 20,—

(i) in clause (i) of sub-rule (3), the words “or in case the number of candidates exceeds twelve, any other symbol not belonging to any political party” shall be deleted.

(ii) to clause (i) of sub-rule (3), the following proviso shall be added, namely :—

“Provided that in case the symbols specified in schedule I are found to be short of requirements, the Returning Officer may allot such other symbols not reserved for a political party by the Election Commission of India,”

(iii) for the existing sub-rule (4), the following shall be substituted, namely:—

“(4) (a) The ballot papers shall be in such form as the State Government may direct and the particulars therein shall be written in Hindi in Devnagri script.

(b) The names of candidates shall be arranged on the ballot papers in the same order as they appear in the list in Form II.

(c) If two or more candidates bear the same name they shall be distinguished by addition of their fathers' or husbands' names as the case may be or in some other manner, as the Returning Officer may deem fit.

13. after sub-rule (2) of rule 21, the following new sub-rule shall be added, namely:—

“(3) A notice announcing the place of polling station shall be published at the office of Panchayat or if there is no office of Panchayat at the place selected for polling station at least a day before the elections are held.”

14. in sub-rule (1) of rule 22,—

(i) for the words “Returning Officer” the words “Collector or any officer authorised by him” shall be substituted.

(ii) after the words “Polling Officer” appearing at the end, the words “and Returning Officer” shall be added.

(iii) the following provisos shall be added, namely:—

“(a) Provided that if a Polling Officer or any other member of the staff is absent from polling station, or polling booth the Returning Officer may appoint any person to act in place of such absentee and inform the Collector accordingly.

(b) Provided further that no person who has been employed by or on behalf of or has been otherwise working for a candidate in or about the election, shall be appointed as Polling Officer or a member of the staff.”

15. in sub-rule (1) of rule 24, for the words “supplied to” the words “used at” shall be substituted.

16. for the existing rule 29, the following rule shall be substituted namely:—

“29. (1) Every ballot paper shall before issue to the elector be authenticated in such manner as may be directed by the Government.

(2) At the time of issuing a ballot paper to an elector, the Polling Officer shall record the serial number thereof against the entry relating to the elector in the copy of voters list (marked copy) set apart for the purpose.

(3) Save as provided in sub-rule (2), no person in the polling station shall note down the serial number of ballot papers issued to particular electors.

17. for the existing rule 31, the following rule shall be substituted, namely:—

“31. Assistance to illiterate and infirm electors.—If an elector, owing to illiteracy or physical infirmity, is unable to record his vote in the manner laid down in rule 30, the Polling Officer shall do so according to the direction of the elector and fold it so as to conceal the vote and insert it into ballot box and make a brief note against the entry relating to such elector in the copy of voters list referred to in rule 29, the reason for such action.”

18. in rule 32, the words "together with its counterfoil" shall be deleted.

19. after the existing rule 33, the following new rule shall be added, namely:—

"33A. Tendered votes.—(1) If a person representing himself to be a particular elector applies for a ballot paper after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity as the Returning Officer may ask, be entitled subject to the following provisions of this rule, to mark a ballot paper (hereinafter in these rules referred to as tendered ballot paper") in the same manner as any other elector.

(2) Every such person shall, before being supplied with a tendered ballot paper, sign his name against the entry relating to him in a list in Form III.

(3) A tendered ballot paper shall be the same as the other ballot papers used at the polling booth except that it shall be—

(a) serially the last in the bundle of ballot paper issued for use at the polling station or booth; and

(b) endorsed on the back with the words "tendered ballot paper" by the Returning Officer in his own hand and signed by him.

(4) The elector, after marking a tendered ballot paper in the voting compartment and folding it, shall, instead of putting it into the ballot box, give it to the Returning Officer, who shall place it in a cover specially kept for the purpose."

20. in rule 36, the sub-clause (e) of clause (iii) of sub-rule (1), shall be deleted.

21. in rule 38, after the existing sub-rule (7), the following new sub-rules shall be added, namely:—

"(8) Every ballot paper which is not rejected under rule 39 shall be deemed to be valid and shall be counted as one valid vote.

(9) The Returning Officer shall count all valid votes given to each candidate and make candidate-wise packets of counted valid ballot papers and those of rejected ballot papers and then all such packets shall be sealed properly."

22. for clause (v) of sub-rule (1) of rule 39, the following clauses shall be substituted, namely:—

"(v) If it is a spurious ballot paper, or

(vi) If it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established."

23. In sub-rule (2) of rule 41, after clause (iv) the following new clause shall be added, namely:—

"(v) One such copy to Director of Elections, Rajasthan, Jaipur."

24. in rule 42,—

(i) in sub-rule (2), for the words "The packets of ballot papers, whether counted or not and of the counterfoils thereof" the following shall be substituted, namely:—

"The packets of used ballot papers, whether valid, tendered or rejected and the marked copies of voters lists."

(ii) in sub-rule (3), for the words "revenue records" the words "similar records under the provisions of Conduct of the Election Rules, 1961, under the Representation of the People Act, 1951" shall be substituted.

(iii) in sub-rule (4), for the words "the Officer Incharge of Panchayat" the words "State Government" shall be substituted.

25. In rule 48;—

(i) in clause (b) of sub-rule (3), for the word "name of the seat of the Sarpanch" the words "the word Sarpanch" shall be substituted.

(ii) after clause (b) of sub-rule (3), the following new clause shall be added, namely:—

"(c) In case a separate ballot box is provided or used for the election of Sarpanch then the ballot box shall bear the name of Panchayat and the word "Sarpanch."

26. in sub-rule (2) of rule 49, for the words and figures "Rules 46 to 48" the word and figure "Rule 48" shall be substituted.

27. in form I, after the existing item No. 1 the following items shall be added, and the remaining items shall be re-numbered accordingly,—

2. Sex of the candidate.

3. Caste of the candidate.

(to be filled by persons belonging to Scheduled Caste/Tribe only).

28. for the existing Form No. II the following Form shall be substituted, namely:—

### "FORM II

(See rule 20)

List of validly nominated candidates whose nomination papers have been accepted and have not been withdrawn.

Election to the.... Panchayat....  
Panchayat Samiti ... District ...  
Date of election.....

To be filled in for the seats  
of Panchas.

To be filled for the seat of  
Sarpanch.

S. No. of the Ward.	S. No. and name of the candidate with address.	Distinctive symbol allotted.	S. No. and name of the candidate with address.	Distinctive symbol allotted.
---------------------------	---	------------------------------------	--	------------------------------------

Date...

Signature of the Returning  
Officer."

Place ..

29. for the existing Form III the following new Form shall be substituted, namely:—

**“FORM III**  
(See rule 33A)

**List of Tendered Votes.**

Election to the ... .. Panchayat.

S.No. of Ward.	S. No. and name of Elector.	Address of Elector.	S. No. of tendered ballot paper.	S. No. of ballot paper issued to the person who has already voted.	Signature or thumb impression of person tendering vote.
1	2	3	4	5	6

Date.....

Signature of Returning Officer.”

30. after the existing Form VI, the following new Form shall be added namely:—

**“FORM VII**  
[See rule 8 (2)]

**Claim Application for inclusion of name**

To

The Collector,

.....

Sir,

I request that my name be included in the voters list of Ward No. .... of the Panchayat Circle....  
.....The particulars of my place of residence are:—

Name	House Number and Name of Mohalla	Father's/Husband's/ Mother's Name.
1	2	3

I hereby declare that to the best of my knowledge and belief:—

- (1) that I am qualified to be registered in State Assembly Electoral Roll relating to the area comprised in the Ward mentioned above.
- (2) that my age on the 1st day of January last was..... years ..... months.
- (3) that my name has not been included in the voters list for any other ward in this Panchayat Circle.

OR

that my name has been included at serial No ..... of the voters list of ward No..... and request that the same may be excluded from the said list.

Signature or thumb impression of claimant.”

**FORM VIII**  
[See rule 8 (3)]

**Objection to inclusion of name**

To

The Collector,

.....

Sir,

I object to the inclusion of the name of .....  
.....S. No. .... of the voters list of Ward No. ....  
.....of Panchayat Circle.... for the following  
reason(s):—

.....  
.....  
.....

I hereby declare that the facts mentioned above are true to the best  
my knowledge and belief.

My name has been included in the voters list of the said Ward at  
serial number ... .. as follows:—

Name in full... ..

Fathers's/Husband's/Mother's Name... ..

Signature/thumb impression of objector.

Date .....

(Full Postal Address)

.....  
.....

**FORM IX**

[See rule 8 (4)]

**Objection to particulars in an entry.**

To

The Collector,

.....

Sir,

I submit that the entry relating to myself which appears at serial,  
number ..... in the voters list of Ward No. .... of Panchayat  
Circle .... as "....."  
..... is not correct. It should be corrected  
to read as follows:—

.....

Place . ....

Signature or thumb impression  
of the Elector.

# SCHEDULE I

## List of Symbols.

1. Horse.
2. Bicycle.
3. Crescent Moon.
4. Elephant.
5. Lion.
6. Bus
7. Railway Engine
8. Two Leaves.
9. Scales.
10. Flower.
11. Sheep.
12. Cart.
13. Sparrow.
14. Watch.
15. Pot,
16. Spade.
17. Umbrella.
18. Camel

[Published in Rajasthan Gazette-Part IV (Ga.)-dated 7-11-64]

## Election Department

Jaipur, December 21, 1964.

**Notification No. F. 1(1)V/Elec./65.**—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953) and of all other powers enabling it in this behalf, the State Government hereby makes the following amendments to the Rajasthan Panchayat and Nyaya Panchayat Election Rules, 1960, namely ;—

## AMENDMENTS

In the said rules,—

1. for the existing rule 50, the following rule shall be substituted, namely :—

**"50. Appointment of dates for co-operation and notice thereof.—(1)** Where the collector or any officer appointed by him in this behalf, finds on perusing the results of election to a panchayat that co-option of panch or panchas under sub-section (1) of section 9 is necessary, he shall—

(a) fix the date and the hours on which and the place at which the special meeting referred to in sub-section (2) of section 9 will be held,

(b) fix the date and hours by which nominations for co-options shall be made,

(c) give to newly elected Sarpanch and panchas a notice in Form V specifying the date, time and hours referred to in sub-



clauses (a) and (b) and number of persons to be co-opted in each category referred to in sub section (1) of section 9.

(2) The notice shall be sent to such Sarpanch and Panchas by such mode and in such manner as the officer issuing notice considers expedient.

**Explanation**—If any panch or sarpanch cannot be served with a notice personally and is not found at the address given in the return of election under rule 41, it shall be pasted at some conspicuous place of his house and such substituted service shall be deemed to be sufficient service for the purpose of this rule.

(3) A copy of such notice shall also be exhibited on the notice board of the panchayat office and at any other conspicuous place at the headquarter of the panchayat where no panchayat office is established.

(4) All papers relating to fixing of date and hours and receipt of notice shall be forwarded to Collector.

2. for the existing rule 51, the following rule shall be substituted, namely:—

**51. Meeting of Co-option.**—The special meeting for co-option shall be held at the place and on the date and time fixed in the notice issued under rule 50 and shall be presided over by an officer nominated by the Collector.

3. for the existing rule 52, the following rule shall be substituted, namely:—

**“52. Nomination for Co-option.**—(1) On or before the date and before the expiry of the hours fixed for making nomination in the notice issued under rule 50, any person belonging to category from which co-option is being held and qualified for being elected as panch under section 11, may deliver in person to the presiding officer a nomination paper in Form VI, duly completed and signed by him and one person as proposer from amongst the newly elected sarpanch and panchas.

(2) The presiding Officer shall mark on each nomination paper the date and time of delivery thereof.

(3) No notice of nomination shall be entertained after the hours mentioned in the notice under rule 50.”

4. for the existing rule 53 of following rule shall be substituted, namely:—

**“53. Procedure for co-option.**—(1) After expiry of the hours fixed for making nomination, the presiding officer shall examine the nomination papers and afford a reasonable opportunity to sarpanch and panchas present to examine the same and raise objections, if any, thereto and shall decide all such objections and may, either on such objections or on his own motion, reject and nomination on any of the following grounds, namely:—

(a) that the person filling the nomination is not eligible for co-option as panch under the provisions of the Act, or

(b) that there has been a failure in complying with provisions of rule 52.

(2) If any nomination paper is rejected, the presiding officer shall record in writing a brief statement of the reasons for such rejection.

(3) The names of all persons whose nominations are found in order, shall be read out by the presiding officer.

(4) If the number of persons whose names are so read out is equal to the number of panchas to be co-opted, the presiding officer shall declare all such persons to be duly co-opted.

(5) If such number is less than the number of panchas to be co-opted, the presiding officer shall declare all such persons to be duly co-opted and another meeting to fill up the remaining vacancies shall be convened within one month, specified in sub-section [3] of section 9, of such meeting and the provisions of rules 50, 51, 52 and this rule shall apply as far as may be.

(6) If the number of such nominations exceeds the number of panchas to be co-opted, the votes of sarpancha and panchas present at the meeting shall be taken by show of hands in respect of each category of persons, referred to in sub-section [1] of section 9, and the person securing the largest number of votes shall be declared to have been co-opted.

Provided that, in case of equality of votes, the result shall be declared by drawing of lots in such manner as the presiding officer may think proper."

5. in sub rule [3] of rule 54 between the words "a month of, the" and "special meeting", the word "first" shall be inserted.

6. in rule 55 for the word "Sarpanch" the word "Collector" shall be substituted:—

7. rule 55A, shall be deleted.

8. for the existing rule 56, the following rule shall be substituted, namely:—

56. Election of Upsarpanch.—[1] Election of Upsarpanch shall be held on the day on which co-option of requisite number of panchas under the foregoing rules has been completed:

Provided that the Collector, for reasons to be recorded in writing, may direct that Election of Upsarpanch be held on some later day and in that case, meeting shall be convened in accordance with procedure laid down in rule 57A.

(2) The officer nominated by the Collector under rule 51, shall immediately after completion of co-option convene a meeting of the newly elected and co-opted panchas and Sarpanch for the election of the Upsarpanch, and the notice specifying the time and place of the meeting shall be affixed not less than 2 hours before the poll on the notice board of the office of Panchayat, and where no such office is established or where election is to be held at a place other than the Headquarter of the

Panchayat, at some conspicuous part of the place specified in the notice, and shall also inform the Sarpanch and the Panchas present of such time and place of the meeting for such election.

9. For the existing rule 57, the following rule shall be substituted, namely:—

**57 Procedure for election.**—(1) At the meeting each panch or the sarpanch present thereat may propose in writing the name of any panch (hereinafter referred to as candidate) for election as Upsarpanch:

Provided that all such proposals shall be made within an hour of the commencement of the meeting and no proposal shall be entertained or received thereafter.

(2) If such panch is not present at the meeting has acceptance in writing of the proposals shall be submitted alongwith the proposal:

Provided that in case the panch proposed for such election is present at such meeting, his written acceptance shall not be necessary if he signifies such acceptance orally.

(3) The presiding officer shall read out the names of the candidates and examine the proposal one by one and afford a reasonable opportunity to the sarpanch and panchas present to examine the same and raise objections thereto and shall then decide all such objections and may, either on such objection or on his own motion reject any proposal on any of the following grounds:—

(a) that the candidate is not eligible for election as Upsarpanch under the provisions of the Act; or

(b) that there has been a failure in complying with the provisions of this rule.

(4) If any proposal is rejected the presiding officer shall record in writing a brief statement of the reason for such rejection.

(5) The names of all the candidates whose nominations are found to be in order shall be read out by the presiding officer.

(6) If there is only one candidate, he shall be declared to be duly elected as Upsarpanch.

(7) If the number of candidates exceeds one, votes shall be taken by show of hands and the candidate securing the largest number of votes shall be declared to have been duly elected:

Provided that in case of enquiry of votes, the result shall be declared by drawing of lots in the manner which the presiding officer may think proper.

(3) If there is no candidate and the panchayat fails to elect an Upsarpanch, the presiding officer shall follow the Procedure laid down in sub-rule [5] of rule 48.

10. after rule 57, the following new rule shall be added, namely.—

**57A. Bye Election of Upsarpanch.**—As and when a bye-election of Upsarpanch becomes necessary under section 20 of the Act, Collector or an officer nominated by him in this behalf shall convene a meeting of

sarpanch and panchas after serving on them notice specifying date, time and place of such meeting and the provisions of sub-rules (1), (2), (3) and (4) of rule 50 and rule 57 shall apply so far as may be.

11. in sub-rule (2) of rule 58, for the words and figures "rules 51 to 53" the words and figures "rules 50, 52 and 53" shall be substituted.

12. in clause (ii) of sub-rule (2) of rule 63 for the words "Officer Incharge of Panchayats" the word 'Collector' shall be substituted.

13. rules 73, 74 and 75 shall be deleted.

14. in rule 76, the words and figures "or rule 73 or rule 74" shall be omitted.

15. sub-rule (2) of rule 76 shall be deleted.

16. for the existing Form V, appended to the rules the following Form shall be substituted, namely:—

### FORM V

(See rule 50)

### NOTICE

Sarpanch/Panchas .....

Panchayat.....

1. In pursuance of rule 50 of the Rajasthan Panchayat and Nyaya Panchayat Election Rules, 1960, I ..... officer appointed by the Collector..... District do hereby give notice that a meeting of Panchayat shall be held on ..... (date at ..... hours at ..... (place) to co-opt the following categories of persons under section 9 of the Rajasthan Panchayat Act, 1953:—

Female Sex	Schedule Castes	Schedule Tribes	Total
1	2	3	4

2. The nomination papers may be delivered to the presiding officer of such meeting not later than..... (time) of ..... (date).

3. Further proceedings for co-optation including the taking of votes by show of hands in the event of the number of candidates being in excess of the number of persons required for each category, shall be held after the expiry of the time fixed for presentation of nomination papers.

4. You are requested kindly to attend the said meeting on the aforesaid date, time and place.

Place.....

Date.....

Signature of Officer appointed by Collector,

Panchayat.....

17. form VI appended to the rules shall be substituted by the following namely:—

**“FORM VI”**

(See Rule 52)

Co-opton to... .. Panchayat  
Panchayat Samiti..... District.

(To be filled by the proposer)

I hereby nominate Shri/Shrimati..... as a candidate for co-opton as panch of female sex/Scheduled Caste/Scheduled Tribes\* to the above Panchayat:—

- (1) Name of candidate's father/husband.
- (2) Sex of the candidate.
- (3) Caste of the candidates.  
(For Scheduled Caste or Tribes only)
- (4) Number of the candidate in the list of voters.

Signature of the proposer.

(To be filled by candidate)

1. the above named candidate, assent to the nomination and hereby declared that:—

- (i) I am qualified to be a panch of category specified above under the provisions of the Rajasthan Panchayat Act, 1953 and.
- (ii) I am not subject to any of the disqualifications specified in Section 11 of the said Act.

Date.....

Place .....

Signature of the candidate.

(To be filled by the officer appointed by the Collector)

S. No. of the nomination paper.

This nomination was presented to me at .....[hrs]..... on.....  
(date) by Shri/Smt.....

Decision accepting or rejecting the nomination paper.

I have examined the nomination in accordance with the provisions of rules and decide as follows:—

Date.....

Signature of officer appointed by the  
Collector.

## ELECTION DEPARTMENT

Jaipur, November 15, 1966

Notification No. F. 1 (1) (1) 1/Dir./Elec./63/84.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953) and all other powers, enabling it, in this behalf, the State Government hereby makes the following amendment to the Rajasthan Panchayat and Naya Panchayat Election Rules, 1960, namely:—

### AMENDMENT

for sub-rule (2) of Rule 42, of the said rules, the following shall be substituted, namely:—

“(2) The packets of used ballot papers, whether valid, tendered or rejected, and the marked copies of the voters lists shall not be opened, and their contents shall not be inspected, or produced except, under the orders of a Court of competent jurisdiction, or an Officer or Authority, appointed by State Government, to hold an enquiry into matters, relating to elections, other than the election disputes, mentioned in rule 78:

Provided that the Officer or Authority, so appointed shall not be competent to open the packets, before the decision of election petition, if any, pending in the Court, or before the expiry of the period of limitation, prescribed for filing election-petitions, under sub-rule (1) of rule 78:

Provided further that:—

- (a) where any such orders are made by an Officer or Authority; appointed by State Government, such Officer or Authority before making the same, shall obtain prior permission of the Government and record in writing the reasons therefor, and
- (b) no such packets shall be opened, nor shall their contents be inspected or produced under any such orders of the Officer or Authority, appointed by State-Government unless that Officer or Authority has given reasonable opportunity to the candidates, or their duly authorised agents to be present at such opening, inspection or production.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 20-1-66—Page 536]

## ELECTION DEPARTMENT

Jaipur, December 1, 1966.

Notification No. F. 1 (1) (1) 1/Dir./Elec./63—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Act 21 of 1953), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat and Nayaya Panchayat Election Rules, 1960, namely:—

1. Short title.—These rules may be called the Rajasthan Panchayat and Nyaya Panchayat Election (Amendment) Rules, 1966.

2. In the Rajasthan Panchayat and Nyaya Panchayat Election Rules, 1960, after rule 86, the following new rule shall be added, namely:—

“86A.— General power of transfer or withdrawal—(1) On the application of any of the parties and after notice to the parties and after hearing such of them as desire to be heard, or of his own motion, without such notice, the District Judge within whose jurisdiction the place of head-quarters of the Panchayat or Nyaya Panchayat, as the case may be, is situated, may, at any stage of the proceeding withdraw any petition pending in the Court of any Munsif or Civil Judge subordinate to him and

- (i) try or dispose of the same, or
- (ii) transfer the same for the trial or disposal to the Court of any other Munsif or Civil Judge within his jurisdiction, or
- (iii) re-transfer the same for the trial or disposal to the Court from which it was withdrawn.

2. Where any petition has been withdrawn or transferred under sub-rule (1) the Court which thereafter tries such petition may, subject to any special directions contained in the order of transfer, either re-try it or proceed from the point at which it was withdrawn or transferred.”

[Pub. in Raj. (Ga)—Dt. 27-4-67—Page 150]

## ELECTION DEPARTMENT

Jaipur, November 24, 1967

Notification No. F. 1 (1) (6) 1/Elec./Dir/63/4208.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Act 21 of 1953), and all other powers enabling it in this behalf the State Government hereby makes the following amendments to the Rajasthan Panchayat and Nyaya Panchayat Election Rules, 1960, namely:—

(1) In rule 9 of the Principal Rules after the existing proviso, the following further proviso shall be inserted, namely:—

“Provided further that a list containing the names and addresses of the persons applying for inclusion of their names in the voter's list shall be exhibited on the notice board of the Office of the Collector for 3 clear days before making any order on the claims”.

(2) In rule 11A, the existing explanation will be numbered as (1) and the following explanation numbered as (2) shall be added, namely:—

“(2) Where the Assembly electoral rolls relating to the area comprised in a Panchayat ward has been intensively revised after the last revision of the Panchayat voters list, the Assembly electoral roll for the area comprised in the ward along with the list of amendments prepared on the basis of information supplied by the occupants of dwelling houses and such other information as may be readily available may be published as draft voters list.”

(3) In rule 12 of the principal Rules after sub-rule (2) the following provisos shall be added, namely:—

- “(a) Provided that no direction for the inclusion of any name in the voter's list shall be issued, until a list of persons applying for the inclusion of their names under this sub-rule shall have been exhibited on the notice board of the Collector for a period of 3 clear days:

Provided further that no such direction shall be made under this sub-rule after the issue of the public notice under rule 14 of the said rules and until completion of elections.

- (b) For the words “issue of public notice under rule 14” appearing in rule 12 (3) the words “the date of final publication of voters list under sub-rule (4) of rule 9 shall be substituted”.

- (4) In rule 46 of the Principal Rules, for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) The provisions of Rules 14 to 45 shall *mutatis mutandis* apply so far as may be, to every such bye-election subject to the following modifications, namely —

- (i) In the rules 14, 22, 36 and 37 for the words “Collector” or for the words “Collector or any other officer authorised by him” wherever appearing, the words “Officer nominated by the Collector” shall be substituted.”

- (5) In rule 49 of the Principal Rules, for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) The provisions of rule 48 shall *mutatis mutandis* apply to every such bye-election subject to the following modifications, namely:—

- (i) in rule 14, 22, 36 and 37 referred to in sub-rule (2) of rule 48 for the word “Collector” or for the words “Collector or any other officer authorised by him” the words “Officer nominated by the Collector” shall be substituted.

- (6) For the existing rule 55 of the Principal Rules, the following rule shall be substituted namely:—

“55. Bye-cooption.—If any vacancy occurs in the Office of a coopted Panch and the necessity for such cooption continues to exist under section 9, steps shall be taken by the Officer nominated by the Collector to have another panch coopted to fill up the vacancy and the provisions of clauses (a) to (c) of sub-rule (1) and sub rules (2), (3) and (4) of rule 50 and rule 51 to 54 shall apply to such bye-cooption so far as may be subject to the following modifications, namely:—

- (i) in rule 51 of the Principal Rules for the words “nominated by the Collector” the words “appointed by the Officer nominate by the Collector” shall be substituted.

(ii) in sub-rule (5) of rule 54 of the Principal Rules for the word “Collector” the words “Officer nominated by the Collector” shall be substituted.



# The Rajasthan Panchayat and Nyaya Panchayat (General) RULES, 1961.

Panchayat and Development Department  
( PANCHAYAT WING )

## NOTIFICATION

Jaipur, March 14, 1961.

No. F. 4 (LJ) PTS (14)/61.—In exercise of the powers conferred by section 89 [read with sections 15A, 17, 19, 21, 23, 23A, 26A, 27B, 27C, 27F, 27G, 34, 45, 46, 48, 48A, 49, 61, 63, 64, 64A, 65, 65D, 66, 67, 68, 69, 70, 70A, 77, 78A, 86, 90, 91 and 92] of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953) and of all others powers enabling it in this behalf, the Government of Rajasthan [ here by ] the following rules, namely:—

## CHAPTER I.

### Preliminary.

1. *Short title and commencement.*—(1) These Rules may be called the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961.

(2) These Rules shall come into force upon their publication in the official gazette.

2. *Interpretation.*—(1) In these Rules, unless the subject or context otherwise requires,—

- (i) “Act” means the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953);
- (ii) “form” means a form appended to these Rules;
- (iii) “force” means the Village Volunteer Force enrolled under these Rules; and
- (iv) “section” means a section of the Act.

(2) All words and expression used but not defined in these Rules have the same meanings as are respectively assigned to them in the Act.

## CHAPTER II

### (1) Allowances to Panchas etc.

3. *Daily allowances.*—The Sarpanch and each panch of a Panchayat and [the chairman and] each member of a Nyaya Panchayat shall be entitled, for every day on which he attends a training camp or a Seminar or Sammelan organised by the State Government or any local authority or on which he performs, or remains busy, in any work connected with the affairs of the Panchayat or Nyaya Panchayat, as the case may be, to receive from the Panchayat Fund a daily allowance :

Provided that no daily allowance shall be payable for the day on which the stay at the place visited has been for less than eight hours.

4. *Travelling allowance.*—If any such person as is mentioned in rule 3 performs any journey for any of the purposes specified in that rule, he shall, in addition to the daily allowance admissible to him thereunder, be also entitled to receive from the Panchayat Fund a travelling allowance for the journey both ways.

5. *When no allowance admissible.*—Notwithstanding the provisions contained in rules 3 and 4 no T.A. or D.A. shall be admissible to any Sarpanch or Panch of a Panchayat or to any chairman or a member of a Nyaya Panchayat for any of the purposes specified in rule 3 if the place to which he proceeds therefor lies within the Panchayat circle, or the Nyaya circle as the case may be.

6. *Rates of allowances.*—(1) The rates at which daily and travelling allowances shall be admissible to a Sarpanch of the Panchayat [and to the chairman of a Nyaya Panchayat] under rules 3 and 4 shall be.

“Travelling allowance :

(i) Journey by Bus ... ..Single Bus fare.

- (ii) For journey between places not connected by bus or rail.
- (a) Where the journey is performed in his own Motor Car or where the propulsion charges are paid by him @ 50 n.P. per mile for the first fifty miles, 37 n.P. per mile for the next 100 miles on the same day and 0.25 n.P. per mile beyond 150 miles on the same day.
  - (b) Where the journey is performed by any other means 31 n.P. per mile.
  - (c) Where the journey is performed on cycle or on foot 12 n.P. per mile.

(iii) Journey by rail.... ..1st Class fare and incidental charges @ 9 n.P. per mile subject to a maximum of Rs. 3/- per day.

*Daily allowance :* Rs. 3/- per day.”

(2) The rates at which daily and travelling allowances shall be admissible to a Panch of the Panchayat or a member of the Nyaya Panchayat under rules 3 and 4 shall be as specified below:—

(i) Daily allowances at the rate of Rs. 2/- per day,

(ii) Travelling allowance:—

- |   |  |
|---|--|
| (a) Journey by Bus                            | Actual bus fare if the place of residence is nearest to a place where there is a bus service for the place or destination.                                       |
| (b) Journey by Rail                           | Second class fare if the place of residence is nearest to the Rly. Station and there is a train service from the place of residence to the place of destination. |
| (c) Journey by any other means of conveyance. | Nine nP. per mile for the first 150 miles and eight nP. per mile thereafter.   |

7. *Claims for allowances.*—(1) A claim for daily and travelling allowances admissible under rules 3 and 4 shall be preferred in writing in Form I.

(2) A Sarpanch or a Panch of a Panchayat or a Chairman or member of a Nyaya Panchayat claiming travelling and daily allowances shall record on his claim therefor the following certificates:—

Certificate.	Circumstances under which necessary.
(a) Certified that I was not provided with any free locomotion at the expense of the Panchayat or any other local authority or the State Government.	In all cases.
(b) Certified that the T. A. claimed is in accordance with the rules and that the amount claimed therein is correct.	In all cases.
(c) Certified that I have not received any amount in respect of this claim previously from any source.	In all cases.
(d) Certified that I have actually performed the Journey.	In all cases.

### CHAPTER III.

#### 1. Transfer of charge.

8. *Manner or transferring charges.*—Whenever charge is required to be handed over under section 15A, a list of all articles not entered in any book or register, and of all books, registers and documents and a statement of cash and other valuable securities in hand shall be prepared in a register called the charge register to be maintained by each Panchayat and Nyaya Panchayat.

(2) The person making over and taking over the charge shall both put their signatures and date at the bottom of the list in token of having respectively made over and received the articles, books, registers, documents, cash and valuable securities mentioned in the list.

(3) The persons making over and taking over charge shall also sign each stock register and cash register in verification of the correctness of the balance entries therein made immediately before the date and time on and at which the charge is transferred.

(4) Any person taking over such charge may, before putting his signatures as aforesaid, physically verify the correctness of such entries.

(5) The authority prescribed within the meaning of sub-section (3) and (5) of section 15A shall be the Tehsildar of the Tehsil within which the panchayat circle or the Nyaya circle lies.

9. *Manner of invoking assistance of the police or Magistrate.*—On failure to hand over the charge of office by any person even after a direction made under sub-section (3) of section 15A, a request in writing may be made to the police or to the Magistrate under sub-section (5) of section 15A for enforcing the provisions of section 15A and for the charge being made over.

(2) When a request is received under sub-rule (1) the Police officer or the Magistrate, as the case may be, shall proceed to the spot and shall further act in accordance with law.

## 2. Vacation of seats.

10. *Vacation of seats to be published.*—The name of the Panch, Up-Sarpanch, Sarpanch, Member or Chairman of a Nyaya Panchayat whose seat has been declared or has become vacant shall be published by the Collector by affixing a copy of the order on the notice board of the office of the Collector, Panchayat Samiti and the Panchayat concerned.

11. *Vacation on account of disqualification.*—(1) Whenever it is represented to, or otherwise brought to the notice of the State Government:—

- (i) that any panch of a Panchayat, who has been declared to be duly elected or co-opted as such or who has been appointed as such under any provision of the Act, or
- (ii) that any Sarpanch or Up-sarpanch of a Panchayat or any member or Chairman of a Nyaya Panchayat, who has been declared to be duly elected as such or who has been appointed as such under any provision of the Act, was not qualified, or was disqualified, for such election, co-option or appointment at the time when he was so elected, co-opted or appointed or has thereafter become disqualified for continuing as such Panch, Sarpanch,

Up-Sarpanch, member or Chairman, the State Government shall draw up clearly and precisely the alleged disqualification or disqualifications forming the subject of the representation made to it, or otherwise brought to its notice, and forward a copy thereof to the Collector, requiring him to inquire or to cause an enquiry to be made into the allegation and make a report in the matter, together with his findings on the alleged disqualification or disqualifications to the State Government with all convenient despatch.

(2) The State Government may order that, pending such inquiry and final orders in the matter, the Panch, Sarpanch, Up-Sarpanch, member or Chairman shall refrain from acting as such.

(3) Upon receipt of the memorandum referred to in sub-rule (1), the Collector shall forthwith issue a notice to the Panch, Sarpanch, Up-Sarpanch, member or Chairman which shall—

- (i) set out the gist of the allegation against him,
- (ii) fix a date, not less than fifteen days after the date of the issue of the notice, on which the inquiry shall be made.
- (iii) require him to show cause, by personal appearance or in writing why his seat should not be declared by the State Government to be or to have become vacant on the ground of his having been not qualified or disqualified or of his having become disqualified, as alleged
- (iv) call upon him to produce, in disproof of the allegation, such documentary or other evidence as may be in his possession, and
- (v) invite him to appear personally, if he so desires, on the date fixed by the notice.

and a copy of the notice shall be sent also to the informant, if any.

(4) On the date fixed by the notice the Collector shall hear the informant, if any, as well as the Panch, Sarpanch, Up-Sarpanch, member or Chairman, if any, of them appears before him and requests for a personal hearing, shall consider the documents and other evidence produced by them in proof and disproof of the allegation or allegations, shall make such further inquiry as he may think necessary, shall record a finding as to the alleged disqualification or disqualifications and shall forward the entire record to the State Government along with his recommendation in the matter.

(5) Upon perusing and considering the record of such inquiry and the finding of the Collector and after affording such further opportunity for personal hearing to the Panch, Sarpanch, Up-Sarpanch, member or Chairman concerned, as may be found necessary in the circumstances of the case, the State Government may either order the proceedings to be dropped or accept the recommendation

of the Collector and declare the seat of such Panch, Sarpanch, Up-Sarpanch, member or Chairman to have become vacant or make such other order as may be proper in the circumstances of the case:

Provided that if the seat of the Up-Sarpanch of a panchayat or of the Chairman of a Nyaya Panchayat shall be so declared to have become vacant, he shall continue to hold office respectively as the Panch of the Panchayat or as the member of the Nyaya Panchayat.

12. *Vacation for absence from meetings*—In the case of a Panch, Sarpanch or Up Sarpanch of a panchayat becoming liable or probably liable for absence from meetings under sub-section (2) of section 17, the following procedure shall be observed namely:—

(1) If such Panch, Sarpanch, Up Sarpanch, hereafter referred to as the absentee, so absents himself from four consecutive meetings of the Panchayat the Sarpanch, or in his absence, the Up Sarpanch or any other presiding Panch, shall give to the absentee a notice in writing as soon as may be after the close of the fourth meeting and before the fifth meeting takes place, stating that he has in spite of due notice, not attended four immediately preceding meetings held on the dates to be stated in the notice and that his seat shall become vacant if he does not attend the fifth meeting of which due notice shall be received by him in due course of time.

(2) Such notice shall be sent by registered post or through a messenger and shall be deemed to have been served on the person to whom it is addressed if it is delivered to him or to any adult male member of his family residing with him.

(3) In case the absentee or any such adult male member refuses to receive such notice, it shall be deemed to have been duly served if—

(a) the postal authorities, in case of the notice having been sent by registered post, report that its delivery was refused to be taken, and

(b) in the case of the notice having been sent through a messenger, the messenger reports to have affixed the said notice at some conspicuous place of his dwelling place in the presence of two witnesses of the locality.

(4) If thereafter the absentee fails to attend the fifth meeting of the Panchayat, the matter shall be placed before the Panchayat at that meeting and such Panchayat if it is satisfied that the notice referred to in clause (i) and the notice of the date of the fifth meeting as aforesaid were duly served on the absentee, shall declare that his seat has become vacant and report [ it ] forthwith to the Collector.

(5) If any dispute arises as to whether a seat has become vacant as aforesaid, the absentee or the Panchayat may refer the

dispute to the Sub-Divisional Officer having jurisdiction for adjudication [not later than thirty days from the date on which the seat is declared vacant by the Panchayat.]

(6) The Sub-Divisional Officer shall thereupon, inquire into the matter, call for the necessary records, hear the parties, if necessary, and decide the question and his decision shall be final.

(7) Pending final decision under clause (vi), the Sub-Divisional Officer may direct that the absentee, whose seat is alleged to have become vacant, shall until final decision, continue to act as if the seat has not become vacant.

(8) Copies of the final order made by the Sub-Divisional Officer shall be sent, to the Collector and to the Panchayat concerned.

(9) The relevant papers in the office of the Sub-Divisional Officer may be destroyed after one year of the date of the decision.

13. *Vacation of seat for not taking oath*—(1) If in respect of any Panch or Sarpanch of a panchayat the Collector finds that such Panch, Sarpanch or member has not taken the prescribed oath or affirmation; within three months from the date of the notification under section 14, he shall call for necessary information in the matter from the officers and authorities mentioned in sub-rule (2) of rule 63 of the Rajasthan Panchayat and Nyaya Panchayat Election Rules, 1960, so as to reach him within a fortnight of the date of his requisition.

(2) If from such information it is found that such Panch, Sarpanch has not till then made the required oath or affirmation, the Collector shall recommend to the State Government or to the officer or authority to whom the power of the State Government in this behalf may have been delegated under section 70, that his seat may be declared to have become vacant.

(3) The State Government or such Officer or authority, as the case may be, upon perusing the record and considering the recommendation of the Collector and after making such further inquiry as it or he may consider necessary, declare such seat to have become vacant or make such other order as it or he may think proper in the circumstance of the case.

(4) If the Collector himself is the officer to whom the powers under section 70 are delegated, he shall take action as provided in sub-rule (3) and (1).

(5) [omitted]

### 3. No-confidence in Sarpanch or Up-sarpanch

14. *Motion of no confidence*.—(1) Any Panch of a Panchayat, desiring to move a motion of non-confidence against its Sarpanch or Up-sarpanch, shall deliver or cause to be delivered a notice of such motion in writing to the Collector.

6 ] The Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961  
of the Collector and declare the seat of such Panch, Sarpanch, Up-Sarpanch, member or Chairman to have become vacant or make such other order as may be proper in the circumstances of the case:

Provided that if the seat of the Up-Sarpanch of a panchayat or of the Chairman of a Nyaya Panchayat shall be so declared to have become vacant, he shall continue to hold office respectively as the Panch of the Panchayat or as the member of the Nyaya Panchayat.

12. *Vacation for absence from meetings*—In the case of a Panch, Sarpanch or Up-Sarpanch of a panchayat becoming liable or probably liable for absence from meetings under sub-section (2) of section 17, the following procedure shall be observed namely:—

(1) If such Panch, Sarpanch, Up-Sarpanch, hereafter referred to as the absentee, so absents himself from four consecutive meetings of the Panchayat the Sarpanch, or in his absence, the Up Sarpanch or any other presiding Panch, shall give to the absentee a notice in writing as soon as may be after the close of the fourth meeting and before the fifth meeting takes place, stating that he has in spite of due notice, not attended four immediately preceding meetings held on the dates to be stated in the notice and that his seat shall become vacant if he does not attend the fifth meeting of which due notice shall be received by him in due course of time.

(2) Such notice shall be sent by registered post or through a messenger and shall be deemed to have been served on the person to whom it is addressed if it is delivered to him or to any adult male member of his family residing with him.

(3) In case the absentee or any such adult male member refuses to receive such notice, it shall be deemed to have been duly served if—

(a) the postal authorities, in case of the notice having been sent by registered post, report that its delivery was refused to be taken, and

(b) in the case of the notice having been sent through a messenger, the messenger reports to have affixed the said notice at some conspicuous place of his dwelling place in the presence of two witnesses of the locality.

(4) If thereafter the absentee fails to attend the fifth meeting of the Panchayat, the matter shall be placed before the Panchayat at that meeting and such Panchayat if it is satisfied that the notice referred to in clause (i) and the notice of the date of the fifth meeting as aforesaid were duly served on the absentee, shall declare that his seat has become vacant and report [ it ] forthwith to the Collector.

(5) If any dispute arises as to whether a seat has become vacant as aforesaid, the absentee or the Panchayat may refer the



dispute to the Sub-Divisional Officer having jurisdiction for adjudication [not later than thirty days from the date on which the seat is declared vacant by the Panchayat.]

(6) The Sub-Divisional Officer shall thereupon, inquire into the matter, call for the necessary records, hear the parties, if necessary, and decide the question and his decision shall be final.

(7) Pending final decision under clause (vi), the Sub-Divisional Officer may direct that the absentee, whose seat is alleged to have become vacant, shall until final decision, continue to act as if the seat has not become vacant.

(8) Copies of the final order made by the Sub-Divisional Officer shall be sent, to the Collector and to the Panchayat concerned.

(9) The relevant papers in the office of the Sub-Divisional Officer may be destroyed after one year of the date of the decision.

13. *Vacation of seat for not taking oath*—(1) If in respect of any Panch or Sarpanch of a panchayat the Collector finds that such Panch, Sarpanch or member has not taken the prescribed oath or affirmation; within three months from the date of the notification under section 14, he shall call for necessary information in the matter from the officers and authorities mentioned in sub-rule (2) of rule 63 of the Rajasthan Panchayat and Nyaya Panchayat Election Rules, 1960, so as to reach him within a fortnight of the date of his requisition.

(2) If from such information it is found that such Panch, Sarpanch has not till then made the required oath or affirmation, the Collector shall recommend to the State Government or to the officer or authority to whom the power of the State Government in this behalf may have been delegated under section 70, that his seat may be declared to have become vacant.

(3) The State Government or such Officer or authority, as the case may be, upon perusing the record and considering the recommendation of the Collector and after making such further inquiry as it or he may consider necessary, declare such seat to have become vacant or make such other order as it or he may think proper in the circumstance of the case.

(4) If the Collector himself is the officer to whom the powers under section 70 are delegated, he shall take action as provided in sub-rule (3) and (1).

(5) [omitted]

### 3. No-confidence in Sarpanch or Up-sarpanch

14. *Motion of no confidence*.—(1) Any Panch of a Panchayat, desiring to move a motion of non-confidence against its Sarpanch or Up-sarpanch, shall deliver or cause to be delivered a notice of such motion in writing to the Collector.

(2) The notice shall set out the proposed motion in extense and shall be signed by the Panch proposing to move it and such signatures shall be attested by an official of the State Government or of a Panchayat Samiti.

15. *Meeting for consideration of motion*—(1) Upon delivery of the notice of a motion of non-confidence, the Collector shall, if he finds the notice to be in order, call a special meeting of the Panchayat for the consideration of the motion at the office of the Panchayat on a date and at the time appointed by him.

(2) The Collector shall send, by registered post or by other means, not less than seven clear days before the appointed date of the meeting, a notice of such meeting and of the date and time appointed therefor to every member of the Panchayat including the Up-sarpanch and also to the Sarpanch thereof.

(3) The Collector or any other officer authorised by him in this behalf, shall preside at such meeting.

(4) If the requisite quorum is present at the time fixed for the meeting or within half an hour of such time, the presiding officer shall read the motion, for the consideration of which the meeting has been convened and declare it to be open for discussion.

(5) The meeting shall not be adjourned and shall automatically terminate on the expiry of two hours from the time of its commencement unless it is concluded earlier.

(6) Upon the conclusion of the debate or upon the expiry of the said period to two hours, as the case may be, the motion shall be put to the vote of the Panchas present and the presiding officer shall not speak on its merits.

(7) If the requisite quorum is not present for half an hour from the time appointed for the commencement of the meeting, it shall be adjourned and the notice of the motion of non-confidence shall lapse.

16. *Proceeding of meeting*.—The presiding officer shall draw up a proceeding setting forth therein—

- (i) the motion in extense,
- (ii) the name of the panch giving notice thereof,
- (iii) the date on which the notice for the meeting was sent under sub-rule (2) of rule 15.
- (iv) the date and time fixed for the meeting,
- (v) the name and official designation of the presiding officer,
- (vi) the names of the panchas present,
- (vii) the fact whether the Sarpanch or Up-sarpanch against whom the notice was delivered was or was not present,
- (viii) the date on which and the time at which presiding officer reached the Panchayat office for the purpose of convening the meeting.

- (ix) the time at which the meeting was adjourned for want of quorum in the alternative the time at which the meeting commenced.
- (x) the time at which the debate was concluded,
- (xi) the names of the panchas who voted for the motion,
- (xii) the names of the panchas who voted against the motion,
- (xiii) the result of voting as declared by the presiding officer,
- (xiv) in case the motion has been carried, the fact that the person against whom it has been carried has been informed that he is required under the law to submit his resignation within three days to the officer-in-charge of Panchayats or to any officer or authority to whom the powers of the officer-in-charge of Panchayats under section 19 may have been delegated by the State Government by a notification under section 70.

17. *Report of the meeting.*—(1) If the motion is lost a note to that effect shall be recorded by the presiding officer in the proceeding drawn up under rule 16 and he shall disperse the meeting after declaring the motion to have been lost.

(2) If the motion is carried by a majority specified in sub-section (2) of section 19, the Presiding Officer shall—

- (i) likewise make a note in the said proceeding,
- (ii) declare the motion to have been carried,
- (iii) invite the attention of the Sarpanch or Up-sarpanch against whom the motion has been so carried if present, to the provision of the said sub-section requiring him to resign within three days, and
- (iv) forward the proceeding in original to the officer-in-charge of Panchayats or to the officer or authority referred to in clause (xiv) of rule 16 under cover of the letter communicating to him the fact of the motion of non-confidence against the Sarpanch or the Up-Sarpanch, as the case may be, have been so carried.

18. *Subsequent action.*—(1) Upon receipt of the proceeding, the officer-in-charge of Panchayats or other authority referred to in clause (xiv) of rule 16 shall, if the motion of non-confidence has been carried and the resignation of the Sarpanch or Up-sarpanch against whom it has been carried has already been received by him, accept such resignation and declare his office to have become vacant.

(2) If the resignation shall not have been received, he shall call upon such Sarpanch or Up-sarpanch to submit the same within a week and send directions to the Panchayat office to treat him as having been suspended from office.

(3) If within the time mentioned in sub-rule (2) the resignation is received, the declaration mentioned in sub-rule (1) shall be made but, if the same is not so received, such Sarpanch or Up-sarpanch shall by order, be removed from office.

(4) A declaration or order of removal made under the foregoing sub-rules shall be forthwith notified in the official Gazette.

19. *Destruction [of record of] proceeding.*—The proceeding referred to in rule 16 and all papers connected with the motion of non-confidence to which the proceeding pertains shall be destroyed after the expiry of one year from the date on which the final order under rule 16 shall have been passed.

#### 4. Removal of panchas etc.

20. *Preliminary inquiry for removal.*—(1) The Collector may on his own motion or upon the requisition of the State Government initiate a preliminary inquiry under sub-section (4) of section 17 against any Panch, Sarpanch or Up-sarpanch of a Panchayat or against any member or chairman of a Nyaya Panchayat.

(2) For the purpose of sub-rule (1) any officer subordinate to him may be deputed by the Collector to hold such preliminary inquiry and to make a report to him.

(3) Any such preliminary inquiry against the Chairman or a member of a Nyaya Panchayat may also be initiated as aforesaid by the Munsif, or, where there is no Munsif, by the Civil Judge, or by the Magistrate of the first class, having jurisdiction over the Nyaya circle.

(4) If, as a result of such preliminary inquiry, the Collector or the Munsif or the Civil Judge or the Magistrate of the first class initiating the inquiry is satisfied that any charges of the nature specified in sub-section (4) of section 17 are *prima facie* made out against such Panch, Sarpanch or Up-sarpanch or against such chairman or member, as the case may be, a report thereof along with the recommendations of such officer on the matter shall be made accordingly to the State Government or to any officer or authority to whom the powers of the State Government under sub-section (4) of section 17 may be delegated by a notification under section 70.

21. *Final inquiry.*—(1) The State Government or the officer or authority referred to in sub-rule (4) of rule 20 shall consider the report of the preliminary inquiry and may either drop the proceedings or get drawn up a statement of charges *prima facie* made out against the person against whom the preliminary inquiry has been made, specifying such details as may be deemed sufficient for him to understand the nature thereof.

(2) A copy of such statement shall be sent to the person charged, along with a notice calling upon him and to show cause in writing why they should not be inquired into.

(3) Upon reading the representation, if any, of the person charged, in response to the notice under sub-rule (2), the State Government or the officer or authority referred to in sub-rule (4) of rule 20 may either drop the proceedings or may appoint an officer or authority to inquire into the charge or charges, hereinafter referred to as the inquiring officer, to whom the record of the preliminary inquiry, the statement of charges, the explanation of the person charged and all other relevant papers shall be forwarded.

(4) The inquiring officer shall—

- (a) issue a notice to the person charged to appear before him on a date and at the time and place specified in the notice,
- (b) read out the person charged, when he so appears, the charge or charges levelled against him,
- (c) hear his explanation, if any,
- (d) take and consider such evidence, oral or documentary, as may be produced in support or in rebuttal of the charge or charges, and
- (e) record his finding on each of them.

(5) The record of the inquiry, together with his findings shall be forwarded by the inquiring officer to the State Government or the officer or authority referred to in sub-rule (4) of rule 20.

22. *Orders by State Government or officer or authority referred to in sub-rule 4 of rule 20.*—(1) The State Government or the officer or authority referred to in sub-rule (4) of rule 20 shall consider the findings of the inquiring officer, afford reasonable hearing to the person charged and thereafter pass such order as it or he may consider proper in the circumstances of the case.

(2) If the State Government or such officer or authority finds upon such consideration that the charges have been established, it or he shall, by order, remove the Panch, Sarpanch, Up-sarpanch, member or chairman concerned from his office.

(3) A copy of each of such order shall be forwarded to the Panchayat officer and to the Collector.

(4) The State Government or the officer or authority referred to in sub-rule (4) of rule 20 shall notify the fact of such removal in the official Gazette.

## CHAPTER IV

### Staff of Panchayats and Nyaya Panchayats.

(1) Appointment, qualifications and conditions of service of Panchayats Staff and disciplinary action against them.

23. *Persons ineligible for employment.*—No person shall be employed in a permanent, temporary or part-time capacity in a Panchayat or a Nyaya Panchayat if he—

- (a) is not of good character, or
- (b) has been dismissed for misconduct from the service of such Panchayat or Nyaya Panchayat or of any other Panchayat or Nyaya Panchayat or of a Panchayat Samiti or a Zila Parishad or of any other local authority or of the State or Central Government, or
- (c) has been convicted of an offence which involves moral pitude, or
- (d) is a member of any Panchayat or Nyaya Panchayat or any Panchayat Samiti or Zila Parishad or of any municipality, or
- (e) is less than 18 years of age or more than 55 years of age: Provided that for part-time employees the restriction of the minimum or maximum age limit shall not apply.
- (f) is the son, grandson, real brother or other near relative of a member of the Panchayat or Nyaya Panchayat :

Provided that an employee will not be discharged if after his appointment, any relative of his is elected as such member.

24 *Academic qualification.*—(1) A candidate for the post of a Secretary of a Panchayat or of a Nyaya Panchayat or of any other equivalent post must have studied up to the Hindi Middle standard :

Provided that the Panchayat may with the approval of the Panchayat Samiti, and the Chairman of a Nyaya Panchayat with the approval of the Deputy District Development Officer, appoint to such post an individual possessing lesser qualifications.

(2) A candidate for post of a temporary part-time clerk or other equivalent post must be able to read and write Hindi and maintain accounts systematically in Hindi.

25. *Emoluments* —(1) The pay of whole time Secretary of a Panchayat or of the whole time Nyaya lipik of a Nyaya Panchayat shall be in the time scale specified below:—

for matriculate	Rs 60-4-100.
for middle passed person	.... Rs 40-2-60.
for non-middle persons	.... Rs 25-1-40.

Provided that the Panchayat may, with the approval of the Panchayat Samiti, and the Chairman of a Nyaya Panchayat with the approval of Deputy District Development Officer allow higher pay scale or emoluments to any such person.

(2) The Panchayat or Nyaya Panchayat, shall, however be competent to allow a lower pay scale or fixed pay to part-time employees.

26. *Duties of staff.*—(1) The Secretary or the Nyaya lipik, as the case may be :—

(a) shall perform all clerical and other duties as may be entrusted to him by the Panchayat or the Nyaya Panchayat, as the case may be, and obey all lawful orders issued by the office of the Panchayat and Development Departments,

(b) shall perform such other duties as the State Government may direct.

(2) In particular he shall perform the following duties, namely:—

(a) record minutes of the meetings of the Panchayat or Nyaya Panchayat, as the case may be;

(b) issue notices as and when directed by the Panchayat or Nyaya Panchayat;

(c) keep proper accounts.

27. *Travelling and Daily Allowances.*—When the secretary or the Nyaya lipik or any other servant has to travel on duty outside the panchayat circle or the Nyaya circle, as the case may be, he shall be entitled to travelling and daily allowances at the rates admissible to Patwaries

28. *Leave.*—(1) No employee of a Panchayat or Nyaya Panchayat shall absent himself from duty without first obtaining the permission of the Sarpanch or the Chairman, as the case may be.

(2) Casual leave for a period not exceeding five days at any one time may be granted by the Sarpanch to the employees of the Panchayat and by the Chairman to the employees of the Nyaya Panchayat to the maximum extent of fifteen days in a calendar year.

(3) Privilege leave with pay for a period not exceeding one month in a year may be granted by the Sarpanch or the Chairman, as the case may be :

Provided that such leave shall not accumulate for more than three months.

(4) Leave other than leave specified in sub-rules (2) and (3) may be granted for any period not exceeding three months to an employee but he shall not be entitled to any emoluments for the period of such leave.

29. *Service Book and Character Roll.*—A Service Book and a Character Roll shall be maintained for every employee of the Panchayat or Nyaya Panchayat respectively in forms II and III and the Sarpanch or the Chairman, as the case may be, shall be responsible for the proper and up to-date maintenance thereof.

30. *Disciplinary action against employees.*—(1) The Panchayat or Nyaya Panchayat may take disciplinary action against its employees, and may award the following punishments:—

(1) censure,

(2) withholding of increments,

(3) recovery of the whole or part of any pecuniary loss caused to the Panchayat or the Nyaya Panchayat by negligence or breach of orders,

(4) reduction in rank or to a lower pay scale.

(5) removal or dismissal.

(2) Before any such disciplinary action is taken against an employee, the Panchayat or Nyaya Panchayat shall frame a charge or charges against him and shall give a copy of the same to him requiring him to submit within a specified time his explanation, if any, in relation thereto.

(3) The Panchayat or Nyaya Panchayat shall take into consideration the explanation and, if necessary, may require him to submit further explanation.

(4) Before any order of punishment other than censure or withholding of not more than three increments is passed, the employee, if he so desires, shall be given a personal hearing and the evidence, if any, given by him or by his witnesses shall be Recorded into writing :

Provided that, in respect of any employee of the Panchayat who is also working in the Nyaya Panchayat, the order of removal passed by a Panchayat shall not take effect unless approved by the Nyaya Panchayat and, in case of a difference of opinion between the Panchayat and Nyaya Panchayat, the matter shall be referred to the [Deputy District Development Officer concerned] whose order shall be final and binding on both.

31. *Appeal from disciplinary action.*—(1) An employee of the Panchayat against whom an order imposing any punishment under rule 30 is passed, may prefer an appeal against such order to the Panchayat Samiti having jurisdiction within thirty days of the date of the receipt by such employee of the order.

(2) The appeal shall be heard by a standing committee of such Panchayat Samiti.

(3) The standing committee, after hearing the appellant and considering the explanation, if any, of the Panchayat may confirm, reverse or modify the order appealed from.

(4) The order passed by the standing committee as aforesaid shall be deemed to be the order of the Panchayat Samiti and shall be final.

(5) An employee of a Nyaya Panchayat against whom an order imposing any punishment under rule 30 is passed, may prefer an appeal against such order to the Dy. District Development Officer within thirty days of the date of the receipt of the order by him.



32. *Retirement.*—(1) No person other than a person appointed in a temporary or part-time capacity shall be retained in the service of the Panchayat or Nyaya Panchayat, as the case may be, after he attains the age of 60 years.

(2) No employee of a panchayat or nyaya panchayat shall have a claim to receive any person from the Panchayat Fund.

33. *Other conditions of service.*—(1) Two or more Panchayats or a Nyaya Panchayat and a Panchayat may agree to have a common secretary and other staff subject to the provision of the Act and these rules.

(2) The services of an employee of a Panchayat or a Nyaya Panchayat may, with his consent and with the consent of another Panchayat or Nyaya Panchayat, be transferred to the latter.

34. *Revisional Powers of Collector.*—(1) Notwithstanding anything contained in these rules, the Collector may, for the purpose of satisfying himself as to the correctness, or legality or propriety of any order or proceeding passed or taken under those rules by a Panchayat or a Nyaya Panchayat or a Panchayat Samiti either originally or on appeal or otherwise, or even if no such proceedings have been initiated, call for the relevant record and, after examining the same, make, such order as he thinks fit.

(2) In proceeding under sub-rule (1), and, if necessary, passing an order imposing any punishment prescribed by sub-rule (1) of rule 30, the Collector shall follow the procedure laid down in rule 30 and an appeal from such order shall lie to the [Revenue Appellate Authority] within thirty days from the date of the passing thereof.

35. *Training to Panchayat and Nyaya Panchayat employees.*—(1) Whenever the State Government or a panchayat Samiti or a Zila Parishad or any other authority, with the approval of the State Government, decides to impart a course of training to the staff employed by a Panchayat or a Nyaya Panchayat, the Panchayat or the Nyaya Panchayat, as the case may be, shall depute such official to such course of training.

(2) The Panchayat or the Nyaya Panchayat, as the case may be shall pay the salary of the employee proceeding on training who shall for all purposes be treated as on duty.

(3) The syllabus of the training to be imparted to the staff employed by a Panchayat or a Nyaya Panchayat shall be as specified in schedule I.

(4) [Omitted]

#### (2) Holidays

36. *Holidays to be observed in Panchayat and Nyaya Panchayat offices.*—The offices of Panchayats and Nyaya Panchayats and all other offices and institutions under the control of

Panchayats shall observe only such public holidays as may be sanctioned by the State Government and such local holidays as may be sanctioned by Collector from time to time in respect of Government offices.

### (3) Security from employees.

37. *Certain employees to furnish security*—Every Secretary and every other employee of Panchayat or a Nyaya Panchayat, entrusted with the receipt, disbursement and custody of money, valuable securities property or stores of the Panchayat or Nyaya Panchayat, shall be required to furnish security for a sum of five hundred rupees in the case of a Secretary and of three hundred rupees in any other case.

38. *Nature of security*—Such security may be in cash, Government securities or a bond hypothecating property, and in each case a security bond in the form set out in schedule II to these rules shall be executed:

Provided that a personal security with two securities may be accepted by the Panchayat or Nyaya Panchayat.

39. *Provision as to cash security*.—(1) In cases where cash security is taken, the amount shall be deposited in a bank or post office so as to earn a reasonable rate of interest, the amount of interest earned being paid to the official concerned once a year.

(2) All the post office saving bank pass books shall be sent to the post office, as soon as possible after the 30th June of each year so that necessary entries on account of interest may be made in them.

### 40. *Responsibility for obtaining security and its verification*.—

(1) The Sarpanch or the Chairman, as the case may be, shall be responsible for seeing that due security has been furnished by the employees mentioned in rule 37 and shall, before the first of April in each year, examine and verify each security and sign a certificate to that effect against each item and make sure that all sureties are solvent, and may, if necessary, call for fresh security.

(2) Any employee failing to furnish the security required by these rules for more than one month, after he has been called upon to do so, shall be liable to forfeit his appointment.

41. *Notice of death of surety*.—Every employee bound to furnish security under these rules shall forthwith give notice to the Sarpanch or the Chairman, as the case may be, of the death of any his sureties, in order that arrangements may be made without delay for taking fresh security.

42. *Security on officiating appointment*.—When an employee who has furnished security takes leave or is deputed to other duty, the person, who is appointed to officiate for him, shall be required to furnish the full security [as may be fixed] for the post.

43. *Custody of security bonds and their return.*—(1) Security bonds shall be kept safely in office in a box the keys of which shall remain with the Sarpanch of the Panchayat or the Chairman of the Nyaya Panchayat, as the case may be.

(2) Securities bonds so lodged may be returned upon the expiry of three months from the date of vacation of office by the employee concerned after being duly discharged.

(4) *Provident Fund.*

44. *Introduction of provident fund scheme.*—Any Panchayat or Nyaya Panchayat may, by a resolution decide, upon the introduction of the Provident Fund scheme from a date to be specified, hereafter referred to as the appointed date, for the benefit of its permanent employees.

45. *Rate of subscription.*—Every such employee appointed or promoted after the appointed date to an office of which the salary is not less than twenty-five rupees per month and every such employee holding such an office at the appointed date, here after called the subscriber, shall be required to subscribe monthly to such provident fund at the rate of six naya paisa in a rupee of his salary.

46. *Recovery of subscriptions.*—The subscription of an employee to the provident fund shall be recovered by deducting the amount thereof from the monthly salary of the subscriber :

Provided that, in calculating the amount to be deducted, the fractions of a rupee of the salary shall be disregarded.

47. *Contribution of Panchayat or Nyaya Panchayat.*—The Panchayat or the Nyaya Panchayat, as the case may be shall contribute to the Provident Fund of each subscriber an amount equal to the amount of his subscription :

Provided that no such contribution shall be made if a subscriber resigns the service of the Panchayat or the Nyaya Panchayat, as the case may be, before he has completed three year's service:

Provided also that if a subscriber is dismissed or has resigned the service of the Panchayat or the Nyaya Panchayat, as the case may be, without one month's notice or is called upon to resign on account of misconduct or inefficiency, [the Panchayat may, with the approval of the Panchayat Samiti and the Nyaya Panchayat with the approval of the Dy. District Development Officer concerned,] forfeit the whole or any part of the contribution made by it to his provident fund together with interest thereon:

[Provided further that a Panchayat and a Nyaya Panchayat may, with the sanction of the Panchayat Samiti or the Dy. District Development Officer having jurisdiction respectively, contribute to the provident fund of each subscriber an amount less than the amount of his subscription.]

48. *Ledger Account.*—(1) The Panchayat or the Nyaya Panchayat, as the case may be, shall maintain a provident fund ledger in form IV of which a separate portion shall be assigned to each subscriber, and there shall be entered therein the month, the amount of the subscription therefor, the amount of contribution under rule 47 and the monthly balance on which interest is to be calculated.

(2) The entries in the Ledger Account shall be made in the manner laid down in Schedule III to these Rules.

49. *Deposit of subscriptions and contributions in-saving Bank Accounts.*—(1) The Panchayat or the Nyaya Panchayat, as the case may be, shall open a Savings bank account to be called the Panchayat or Nyaya Panchayat Employees Provident Fund Account, with the Post office or any scheduled bank or a co-operative bank and as soon as may be at the beginning of each month, and if possible, before the fourth day thereof, shall pay into such account the amount of all subscription recovered under the provisions of rule 46.

(2) The Sarpanch of the Panchayat or the Chairman of the Nyaya Panchayat, as the case may be, shall operate the said account.

(3) No sum shall be withdrawn from the said Provident Fund Account except:—

- (a) under the Provisions of rule 50, for the purposes of making an advance to a subscriber, or
- (b) under the provisions of rule 52, for payment to a subscriber or his heirs upon closure of his account.

(4) At the close of each year after the institution of the Fund the Panchayat or the Nyaya Panchayat, as the case may be, shall furnish to the officer-in-charge of Panchayats or an officer authorised by him in this behalf as well as to the Collector and the Panchayat Samiti a statement showing the total amount of Provident Fund held by the Panchayat or the Nyaya Panchayat, as the case may be.

50. *Advance out of Fund.*—(1) The Panchayat or the Nyaya Panchayat as the case may be, may sanction an advance out of the Provident Fund to a subscriber upto three months of his substantive pay or one-third of the amount standing at the credit of the subscribers account, which-ever is less, for either of the following purposes and for no other purpose:—

- (a) to pay any expenses incurred in connection with the illness of the subscriber or his wife or husband or his or her children or parents,
- (b) to pay expenses in connection with marriage, funeral or other ceremonies which by the religion of the subscriber it is incumbent upon him to perform and in connection

with which it is obligatory that expenditure should be incurred:

Provided that no such advance shall be sanctioned unless the pecuniary circumstances of the subscriber are such that the indulgence is in the opinion of the Panchayat or the Nyaya Panchayat, as the case may be, absolutely necessary:

Provided further that, when an advance has already been granted to a subscriber, a subsequent advance shall not be granted to him until at least 12 months have lapsed since complete repayment of the last advance and interest thereon except for very special reasons to be recorded by the Panchayat or the Nyaya Panchayat, as the case may be.

(2) The amount of an advance shall be repayable in such number of equal instalments not exceeding twenty-four, as may be fixed by the Panchayat or the Nyaya Panchayat, as the case may be, when sanctioning the advance, and such instalments shall be recovered as if they were subscriptions in the manner provided in rule 46.

51. *Nomination*. — (1) Each subscriber shall, as soon as he joins the Provident Fund as possible, be called upon by the Panchayat or the Nyaya Panchayat, as the case may be, to furnish a declaration in favour of his wife or husband or his or her children [or parents, minor brother, unmarried sister and his deceased son's widow or child or where no parent of the subscriber is alive, the paternal grant parent] in such proportions as he may like in the event of his death.

(2) A subscriber who has no dependent referred to in sub-rule [(1) may nominate any other person or persons instead.]

(3) If a subscriber at any time thereafter marries or remarries or gets children, any declaration already made under sub-rule 2) shall become null and void and, unless a revised declaration is received by the Panchayat or the Nyaya Panchayat, as the case may be, the amount of his accumulations shall be dealt with, under rule 52.

(4) A nomination may be cancelled by a subscriber and replaced by any nomination which is permitted to be made under this rule.

(5) All such nominations, when received, shall be carefully recorded and kept in the safe custody of the Sarpanch of the Panchayat or the Chairman of the Nyaya Panchayat, as the case may be.

(6) The Sarpanch of the Panchayat or the Chairman of the Nyaya Panchayat, as the case may be, shall make every endeavour to secure nominations from the subscribers.

(7) If after issue of six reminders, no such nominations are received, it will be deemed that the subscriber does not want to make any nomination.

52. *Closing of Ledger Account and payment of Provident Fund money*—When a subscriber dies, the amount shown at the credit of his account in the Provident Fund Ledger plus interest accrued thereon till the date of his death shall be withdrawn from the Savings Bank Account and the payment thereof shall be made by the Panchayat or the Nyaya Panchayat, as the case may be, as follows:—

(a) if a nomination made by the subscriber in accordance with the provision of rule 51 subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination;

(b) if no such nomination subsists or if such nomination relates only to a part of the amount standing to his credit, the whole or the part, as the case may be, not covered by the nomination, shall, notwithstanding any nomination purporting to be in favour of any person other than the wife or husband or children of the subscriber, become payable as in the proportion of one moiety to the husband or wife or widow (or equally to all wives or widows, if there are more than one) and the other moiety equally to the children of the subscriber;

Provided that if one or more of this sons have died leaving behind their widows or sons or both, the respective shares of each such pre-deceased son shall be payable equally amongst his sons and widow;

(c) if the subscriber has left only a husband or widow (or widows as the case may be), the amount shall become payable to such husband or widow in equal shares to such widows, as the case may be,

(d) if the subscriber has left only children, the whole of the amount shall become payable to such children in equal shares;

(e) failing both children and widow or widows or husband, as the case may be, the whole amount shall become payable to his other legal heirs.

*Explanation I.*—No share of the amount of Provident Fund shall be payable to—

(i) a married daughter whose husband is alive; or

(ii) a married daughter of a pre deceased son whose husband is alive.

*Explanation II.*—For the purpose of this sub-rule a subscriber's posthumous child shall be considered to be his child at the

time of his death and, if born alive, shall be treated in the same way as a surviving child born before the subscriber's death.

(2) Subject to the provisions of sub-rule (5) when a subscriber ceases to be the employee of the Panchayat or the Nyaya Panchayat, as the case may be, the amount standing to his credit in the Provident Fund ledger account plus interest accrued up to the date of such cessation shall be withdrawn and paid to him—

(a) Provided that if he is transferred otherwise than temporarily to the service of another local body which maintains a Provident Fund, the amount withdrawn shall be paid to such other local body for credit to his provident fund account with such local body; and

(b) if he is transferred temporarily to the service of another local body, the amount shown to the credit of his account in the Provident Fund Ledger Account shall not be withdrawn but shall remain to the credit of his account.

(3) On a subscriber leaving the service, his account shall be closed and unless the amount to his credit be withdrawn the account shall be written off with the words 'Dead Account' and the amount shall be paid only under the signatures of the Sarpanch of the Panchayat or the chairman of the Nyaya Panchayat as the case may be.

(4) When an account becomes dead, it shall be closed in the fund ledger, the money being drawn out of the Savings Bank and credited in the Cash Book as a miscellaneous receipt. If the amount is subsequently claimed, the entries in the Cash Book and the fund ledger shall first be traced before the order or the Sarpanch or the chairman, as the case may be, and when payment is made the fact of payment and a reference to the order shall be made against the entry in such account book to avoid double payment.

(5) When an account is closed under the provisions of this rule, a line shall be drawn in red ink across the page below the last entry in the Provident Fund Ledger Account and words 'Dead Account' shall be added.

53. *Amount to be withheld upon closure of account.*—Notwithstanding anything contained in rule 50 if any sum is due from a subscriber to the Panchayat or the Nyaya Panchayat, as the case may be, at the time when his account is closed, the Panchayat or the Nyaya Panchayat, as the case may be, may deduct the amount of such sum before making payment under rule 50 of the amount at the credit of his Provident Fund Account.

54. *Precautions against unauthorised withdrawal.*—In order to prevent unauthorised withdrawal from the Provident Fund, the following precautions shall be observed; namely—

63. *Presence at meeting of person other than panchas.*—(1) The Sarpanch of a Panchayat may allow the presence of persons other than the panchas in the meeting of the Panchayat in an advisory capacity.

(2) Any such person may speak and otherwise take part in the proceedings of the Panchayat but shall not have the right to vote.

64. *Record of proceedings.*—A brief record of the proceedings at every meeting of a Panchayat shall be kept in a register in which the attendance of panchas will be recorded by securing their signatures or thumb impressions and a copy thereof shall be sent to the Vikas Adhikari of the Panchayat Samiti concerned within fifteen days from the date of the meeting.

64A. *Power of Panchayats to require attendance of village level functionaries.*—If it shall appear necessary to a Panchayat that the presence of any village level functionaries viz : Patwari of the Revenue Department or the Gram Sevak of the Panchayat Samiti, as the case may be, is desirable at any of its meetings or the meetings of the adult residents of the Panchayat circle for the purpose of obtaining his views or any information from him on any point or points having a bearing on the duties and functions of the Panchayat under the Act, it shall be competent for such Panchayat, to require the presence of any such functionary by addressing a letter to him not less than fifteen days previously to the intended meeting, and the said functionary, unless prevented by sickness or other reasonable cause, shall be bound to attend such meeting.

#### (2) Meeting of adult residents.

65. *Meetings of residents of Panchayat circle to convened by Sarpanch or Up-Sarpanch.*—(1) The Sarpanch or, in his absence, the Up-Sarpanch of a Panchayat shall convene atleast two half-yearly general meetings of all the adult residents of the Panchayat circle in the months of May and October respectively which shall ordinarily be held in the village where the office of the Panchayat is situated.

(2) Special or emergent meeting may be convened by the Sarpanch by giving a notice of not less than three days, the manner of publication being the same as for an ordinary meeting.

(3) (a) in case where the population of a Panchayat circle exceeds 1000 inhabitants, the Sarpanch or in his absence, the Up-Sarpanch may convene the general meeting of the adult residents in two or more groups.

(b) For the purpose aforesaid, the Panchayat circle may be divided in two or more groups by the Sarpanch, or in his absence by the Up-Sarpanch.

(c) The manner of publication of notice of the meetings and the conduct of business thereof shall be the same as provided in rule 66 and rule 68 respectively.



66. *Publication of notice of meeting.*—Notice of the day and of the meeting, as also stating the business to be transacted, shall be published at least fifteen days previous to the day of meeting by:—

- (i) affixing the same at one or more conspicuous places in every village of the panchayat circle, and
- (ii) making an announcement of such meeting by beat of drum in every village of the panchayat circle.

67. *Meeting to be presided over by the Sarpanch, Up-Sarpanch or other panch chosen for the purpose.*—The Sarpanch or in his absence, the Up-Sarpanch shall preside at every such meeting and in the absence of both, one of the panchas present and chosen by the residents present shall preside.

68. *Views of residents for programmes and works of the Panchayat to be recorded and reported.*—(1) At the first of such meetings to be held in any financial year the Panchayat shall place the following matters before the meeting—

- (i) budget of the Panchayat;
- (ii) the proposals for imposing any fresh tax or enhancing any existing taxes;
- (iii) new programmes and proposals for organising community service, voluntary labour or mobilization of the local people for any specific works included in the annual or supplementary programme; and
- (iv) audit report and administrative report.

(2) At the first meeting and all subsequent meetings the programmes and works undertaken by the Panchayat specially in respect of the community development work, agriculture, animal husbandry, health, education, social education, co-operation and cottage industry shall be explained and their progress shall be reviewed.

(3) At all such meetings the views of the residents together with any suggestion for undertaking any development work shall be recorded and a copy thereof shall be sent to the Vikas Adhikari of the Panchayat Samiti concerned within fifteen days from the date of the meeting.

69. *Holding of meetings on requisition by residents in certain cases.*—(a) Notwithstanding anything contained in these rules, the Sarpanch shall, on the requisition in writing of not less than 100 adult residents of the Panchayat circle or one-fourth of the total adult residents of the circle, whichever is less, convene a general meeting of the adult residents provided the requisition specified the day as to when and the purpose for which the meeting is to be held. The requisition shall be delivered at the office of the Panchayat during office hours to the Sarpanch, the Secretary or any other

person who may then be incharge of the office, atleast twenty days before the day of the meeting.

(b) If the Sarpanch fails within seven days from the delivery of such requisition to call a meeting on the day specified therein, the meeting may be called by the residents who signed the requisition on giving the notice provided in rule 66.

(c) No meeting under clause (a) or clause (b) shall be convened at any place other than the place where the office of the Panchayat is situated,

(d) Provisions of these rules shall *mutatis mutandis* apply to such meeting.

**69A. Village functionaries to attend meetings.**—Every village level worker as also the every other village level functionary of the State Government /Zila Parishad or the Panchayat Samiti shall, so far as may be, attend and take part in the deliberations of all the meetings referred to in rule 65 and rule 69, but he shall have no right to vote.

### **(3) Libraries and Reading Rooms.**

**70. Establishment of libraries and reading rooms.**—(1) Subject to the necessary provision being made in its Budget, a Panchayat may establish at suitable places within the Panchayat circle a public library and as many public reading rooms as it may think, fit, to which every person shall have access without any distinction of race, caste, creed or sex.

(2) It shall be the responsibility of the Panchayat to run and maintain such library and reading rooms and for that purpose it shall appoint a person, by name or by virtue of office, to be incharge of each of them.

**71. Books and newspapers.**—For the library and for each reading room established under rule 70, the Panchayat shall:—

(i) subscribe for such newspapers as the Panchayat may specify, and

(ii) purchase such books as it may think fit or as the Panchayat Samiti may recommend for purchase.

**72. Duties of person incharge.**—It shall be the duty of the person incharge of a library or reading room.—

(a) to submit to the panchayat any suggestions made by the visitors and readers for the purchase of books or for subscription of newspapers,

(b) to arrange for light and drinking water thereat according to necessity,

(c) to keep the books and newspapers in good condition and where necessity arises, to report for repairs of books,

(d) to keep a daily record of readers, visitors and borrowers of books, and

(e) to present a monthly report to the panchayat.

73. *Issue of books.*—(1) No book shall be issued for reading at home for more than a week from the date of its issue.

(2) A book shall be issued on payment of such fee and such caution money as the panchayat may fix.

(3) If a book is not returned within a week from the date of its issue, such amount as the panchayat may fix may be charged from the borrower for each day after the expiration of one week from the date of its issue.

(4) All amounts received under this rule except the amount of caution fee shall be credited to the panchayat fund.

74. *Loss of book.*—If a borrower loses any book borrowed by him or fails to return the same within three months of the date of its issue, the cost of the book along with any charges made under sub-rule (3) of rule 73 shall be recovered from him and may be deducted from out of the caution money of the borrower in deposit with the panchayat.

75. *Registers to be kept and maintained in libraries & reading rooms.*—The following registers will be kept and maintained in each library and reading room, namely:—

(a) catalogue of books in Form No. V;

(b) catalogue of newspapers in Form No. VI;

(c) attendance register of visitors and readers in Form No. VII;

(d) register of issue and receipt of books in Form No. VIII;

(e) stock register in Form No. IX;

76. *Inspection.*—The Sarpanch of the panchayat shall, and every panch may, superintend the library and any reading room and inspect the same Periodically to see—

(a) whether the officer-in-charge thereof fulfills his duties properly or not, and

(b) whether the residents of the panchayat circle avail themselves of the library and reading room.

#### (4). Appeals.

77. *Form and accompaniments of appeals.*—(1) Every appeal under section 26A or section 27—

(a) shall be in writing,

(b) shall be in the form of a memorandum setting forth concisely the grounds of objections to the order appealed against,

(c) shall bear a court fee label of one rupee with the words "Panchayat Samiti" superimposed thereon with red ink, and

(d) shall be accompanied by a certified copy of the order appealed against or, in case such copy has not been granted by the panchayat, an affidavit to that effect.

(2) If the necessary court fee label cannot be obtained for some reason or other, the court fee will be realised in cash and the amount so realised shall be entered in the court fee register as well as in the cash register and a receipt therefor shall be given to the appellant.

**78. Presentation of appeal.**—(1) Every such appeal shall be presented to the Vikas Adhikari or any other officer authorised by the panchayat samiti in this behalf.

(2) The officer receiving the appeal shall scrutinise it with a view to satisfying himself that it bears the proper court fee, has been presented within the period of limitation prescribed therefor and lies to the Panchayat samiti.

**79. Notice of hearing.**—(1) Upon the receipt of an appeal—

(a) it shall be referred to a standing committee of the Panchayat samiti constituted for the purpose or where no such standing committee has been constituted, to the Finance Taxation and Administration Standing Committee thereof.

(b) a date, time and place shall be fixed by such standing committee for the hearing of the appeal if it is not summarily rejected under sub rule (2) of rule 80,

(c) a notice of the same shall be given to the parties to the appeal, and

(d) the file of the original case shall be sent for from the panchayat office.

(2) The notice mentioned in clause (c) of sub-rule (1) shall be sent for service to the panchayat within whose jurisdiction the person to whom it is addressed is residing and, where such person resides outside the jurisdiction of a panchayat, the notice shall be sent for service to the Tehsildar within whose jurisdiction he resides.

**80. Summary rejection or return of appeal.**—The standing committee to which the appeal is referred for hearing may summarily reject it or return it for presentation to the proper panchayat samiti or for amendment within a specified time.

(2) An appeal returned for amendment, when presented again within the specified time, shall be deemed to have been presented on the date on which it was originally presented.

**81. Appeal not to operate as stay of proceedings.**—Where the decision of a panchayat is under appeal, the appeal itself shall not operate as a stay of further proceedings but the standing committee may, on an application made by the appellant, on a court fee of twenty-five naye paise and for reasons to be recorded in writing,

direct that further proceedings in the matter shall be stayed on such terms as the standing committee may think fit to impose:

Provided that the Vikas Adhikari shall be competent, on presentation of an appeal, to issue an interim stay order, which shall be operative only till the next meeting of the standing committee and the standing committee may, then, either further extend the stay order or refuse to extend it.

82. *Additional evidence.*—The parties to an appeal shall not be entitled as of right to produce additional evidence before the standing committee but the standing committee may allow such evidence to be produced, where it is satisfied that the panchayat from whose order the appeal is preferred has refused to admit evidence which ought to have been admitted or where the standing committee requires in the interest of justice any document to be produced or any witness to be examined.

83. *Disposal of appeal in absence.*—(1) Where the appellant does not appear on the day fixed for hearing an appeal, the standing committee may dismiss the appeal in default but such dismissal may be set aside by the standing committee if it is satisfied, on an application made on a court-fee of twenty-five naye paise within thirty days of the order of dismissal, that the applicant was prevented by sufficient cause from appearing when the appeal was called on for hearing.

(2) Where on the day fixed for hearing an appeal, the appellant appears but the opposite party, if any, does not appear the appeal shall be heard *ex parte*.

84. *Final order by standing committee.*—Where an appeal is not dismissed summarily, the standing committee shall, on the appointed day, hear the parties present and, after persuing the file of the case, may, by order, vary set aside or confirm the order under appeal.

85. *Submission of returns.*—Every panchayat samiti shall furnish to the Collector half yearly returns in Form No. X by the 10th day of every April and October.

#### (4) Miscellaneous,

86. *Panchayat Office.*—(1) The office of a panchayat shall be lodged and held in the building specially constructed for the purpose or in any other public building available at the headquarters of the panchayat.

(2) Where no such building as is referred to in sub-rule (1) is available, suitable building for the purpose may be had on rent.

(3) The Sarpanch shall make suitable seating arrangements for the panchas, for the staff of the panchayat and for the public attending the panchayat office.

(4) The panchayat office shall remain open on such days and for such hours of the day as the panchayat may by resolution fix:

Provided that every panchayat office shall remain open on each working day for not less than six hours in the aggregate, where there is a whole time secretary.

(5) At every panchayat office, the Sarpanch shall make arrangements—

(a) for the requisite articles of stationery, furniture, forms and registers, and

(b) for its watch and ward.

87. *Seal of panchayat.*—(1) Each panchayat shall have a seal inscribed with its name and shall use the same on all processes, orders and copies issued by it.

(2) Such seal shall remain in the custody of the Sarpanch.

88. *Files and registers.*—(1) All correspondence, forms and other papers shall be maintained properly in separate files, opened subject-wise.

(2) All files and registers shall be kept at the panchayat office and shall not be taken by the Sarpanch or any panch or its staff to a place other than the panchayat office and all files on which action is complete and no further action is to be taken shall be closed and shall be consigned to the record room.

89. *Channel of correspondence.*—Unless otherwise expressly provided in the Act or in any rule or by-law made thereunder or under any direction of the State Government no panchayat shall correspond directly with the State Government and all communications meant for the State Government shall be sent to the officer-in-charge of panchayats.

90. *Power to summon.*—The panchayat may summon any person to give evidence or to produce a document in respect of any question relating to its duties under the provisions of the Act or the rules or bye-laws made thereunder.

91. *Proposals for execution of works.*—(1) Whenever a panchayat decides to undertake in or for the benefit of its panchayat circle any work, it shall cause to be prepared a plan, design or specification thereof and an estimate of the cost likely to be incurred in the execution thereof.

(2) Such plan, design or specification and the estimate may be got prepared by an employee of the panchayat or by a qualified Overseer or Engineer or through any other agency.

(3) If the estimate of the plan, design or specification so prepared does not exceed Rs. 2,000/- the panchayat may, subject to the availability of funds at its disposal, sanction by its resolution, the execution of the work.

(4) If the estimated cost of such plan, design or specification exceeds Rs. 2 000/- every such plan, design or specification shall be submitted along with the estimates of the cost thereof for the approval of the Panchayat Samiti concerned.

(5) The Panchayat may also likewise recommend to the Panchayat Samiti for the sanction of any work stating in its proposals the mode in which it proposes to meet its cost and on receipt of such proposal, the Panchayat Samiti may sanction the same, or for reasons to be recorded in writing refuse to sanction the same or may return the same to the Panchayat for re-consideration in the light of the observations, made by it.

92. *Execution of works* —(1) The execution of a work sanctioned under rule 91 shall, subject to the provisions of this rule, be mainly the responsibility of the panchayat.

(2) The execution of no work shall be commenced until —

(a) it has been duly sanctioned, and

(b) necessary funds for the same are available with, or have been made available to the panchayat.

(3) If the panchayat receives a grant or loan from the State Government or any other local authority for the execution of a sanctioned work the panchayat shall submit to the panchayat samiti a periodical report together with complete account and supporting vouchers as to its progress for each quarter by the 10th day of the month immediately following the close of the quarter for which the report is made.

(4) Upon completion of a work referred to in sub-rule (3) the panchayat shall, within a week of such completion, report the fact thereof to the panchayat samiti as well as to the State Government or a department of the State Government if the grant or loan for the work was by made the latter.

## CHAPTER VI

### Taxation

#### (1) Imposition of taxes.

93. *Procedure preliminary to imposition of tax.*—(1) Every panchayat deciding to levy any tax or fee under section 64 or section 64-A or section 65 or section 65-A or to enhance the rate of any of them shall pass a resolution the Panchayat shall publish the purport thereof for the information of the persons likely to be affected thereby by affixing a notice at some conspicuous places within the Panchayat circle and on the notice board of the Panchayat office, specifying a date, not earlier than thirty days from the date of such notice, on or after which the Panchayat shall take the proposal into consideration.

94. *Contents of notice.*—The notice referred to in rule 93 shall specify the details of the tax or fee proposed to be imposed, the proposed rate thereof and the date from which it is proposed to be imposed [or enhanced].

95. *Objections to proposed taxation.*—(1) Any person likely to be affected by the imposition or enhancement proposed by the Panchayat may object to the same in writing on or before the date specified in the notice under rule 93, setting forth clearly the grounds of his objection.

(2) The Panchayat shall consider all such objections and may approve the proposal with or without modifications or may reject the same.

Provided that, if the proposal relates to a tax proposed to be imposed under clause (j) or sub-section (1) of section 64 the sanction of the State Government shall be necessary and for that purpose the Panchayat shall send the proposal approved with or without modifications made under this sub-rule, the notice issued under rule 93 and all objections received and considered by it under this rule to the officer-in-charge of Panchayat who shall submit the same along with his views in the matter [for] the orders of the State Government.

96. *Publication and operation of proposal.*—(1) When a proposal for the imposition of a tax or fee or for the enhancement of the rate thereof has been approved by the Panchayat under rule 95 or sanctioned by the State Government, as the case may be, the Panchayat shall issue a notice specifying, as nearly as may be, the following particulars namely:—

- (a) the details of the tax so sanctioned,
- (b) the rate at which it shall be levied,
- (c) the date from which it shall be assessed and levied, and
- (d) such other particulars as may be necessary for the information of the persons affected by the sanctioned imposition.

(2) The various matters specified in the notice under sub-rule (1) shall correspond to the same as sanctioned under rule 95:

Provided that, if the date from which the tax or fee has been sanctioned to be assessed and levied has expired or is likely to expire within fifteen days from the date of such notice, the Panchayat may fix any prospective suitable date for the purpose without any further sanction.

(3) The notice under this rule shall be published in the same manner as is provided in sub-rule (2) of rule 93 [under] the signature of the Sarpanch.

(4) The tax shall be assessed and levied as from the date specified in the notice for the purpose.



## (2) Building Tax.

97. *Incidence of building tax.*—A tax on building under clause (e) of sub-section (1) of section 64 shall be leviable on the value of each building within the Panchayat circle and shall not exceed the following limits, namely:—

*Maximum  
amount of  
tax [per  
annum].*

- |  |          |
|--|----------|
| (i) Where such value does not exceed one thousand rupees                                   | Rs. 2/-  |
| (ii) Where such value exceeds one thousand rupees but does not exceed two thousand rupees  | Rs. 3/-  |
| (iii) Where such value exceed two thousand rupees but does not exceed five thousand rupees | Rs. 7/-  |
| (iv) Where such value exceed five thousand rupees but does not exceed ten thousand rupees  | Rs. 15/- |
| (v) Where such value exceeds ten thousand rupees   | Rs. 25/- |

Provided that no tax shall be payable in respect of a building of which the value does not exceeds five hundred rupees.

98. *Exemption from tax.*—(1) Notwithstanding anything contained in the Act or in these rules, a building tax shall not be levied on inns, dharamshalas, libraries, schools, dispensaries, reading rooms and buildings used for religious and charitable purposes, subject, however, to the provision that no rent is earned from the whole or any part, thereof.

(2) All buildings within a panchayat circle belonging to the Central Government or the State Government as well as all such buildings belonging to or vested in a Panchayat or Panchayat Samiti or a Zila Parishad or a municipal board shall be exempted from the payment of building tax under rule 97.

99. *Preparation of assessment list.*—(1) For the purpose of the building tax the Panchayat shall cause to be prepared a list of occupiers, and, where there are no occupiers, a list of owners, possessing or owing as the case may be, buildings situated within the Panchayat circle.

(2) The list shall contain such particulars in relation to each building as may be specified in the bye-laws made under the Act.

(3) The value of each building shall be assessed through such agency and in such manner as may be laid down in such bye-laws.

(4) The value so assessed as well as the amount of tax leviable thereon or, in case the building is not liable to pay the tax, the fact of such non-liability, shall be noted in the list prepared under sub-rule (1) opposite the entry therein relating to that building.

100. *Publication of assessment list.*—(1) The assessment list prepared under rule 99 shall be published by affixing a copy thereof on the notice board of the Panchayat, alongwith a notice inviting objections thereto within fifteen days from the date of the publication of the assessment list.

(2) A proclamation shall be made by beat of drum in the whole of the Panchayat circle to the effect that the list has been so published and could be inspected at the Panchayat office and that objections thereto could be filed before the Panchayat within fifteen days of the date of publication of the assessment list.

(3) The Panchayat shall hear any objections that may be made within the said period and the assessment list shall be amended, if necessary, and signed by the Sarpanch.

(4) A copy of the assessment list so finalised shall be pasted on the notice board of the Panchayat.

101. *Realisation of building tax.*—The building tax shall be realised in advance for the whole year, commencing on the 1st of April.

### [3] Octroi

102. *Octroi posts and octroi limits* —In a Panchayat decides to impose an octroi under clause (f) of sub-section (1) of section 64, the octroi limits shall be outer limits of the Panchayat circle and the Panchayat may—

(a) describe the routes by which the goods and animals liable to octroi shall be brought within the octroi limits, and

(b) establish such octroi posts as it may think necessary, placing each such post in-charge of an official of the Panchayat and appointing therefor such other establishment as it may think fit.

103. *Duties of persons bringing goods and animals.*—All persons bringing or receiving goods or animals liable to pay octroi within the octroi limits shall exhibit or produce all bills, invoices, receipts or other documents of a like nature which they may possess relating to the goods or animals to enable the octroi official to ascertain, assess and collect the amount of octroi duty leviable and such persons shall afford the octroi official every facility for the purpose of having their goods appraised, and when required to do so shall permit them to inspect, weigh, examine, measure or otherwise appraise or deal with the whole or any portion of the goods or animals for the purpose of assessing or collecting octroi duty thereon, checking the Payment of such duty or carrying out any other provisions of these rules.

(2) In the event of there being no invoice or bill or other relevant document in the possession of the person bringing dutiable goods or animals or of non-acceptance by the octroi official of the

value as shown therein, a declaration shall be made and signed by such person and octroi shall be levied as per market price of the goods or animals after getting the value thereof appraised in the market.

104. *Inspection of goods.*—Every person shall, on demand, permit any octroi official to inspect the goods in his possession.

105. *Assessment of octroi.*—Where an *ad valorem* octroi is leviable the amount thereof shall be calculated according to the full value of the goods or animals as given in the original bill or invoice or other documents or on their market price, as the case may be.

*Explanation.*—“Full value” does not include railway freight, commission or other incidental charges.

106. *Payment of octroi.*—(1) Octroi shall be payable on demand by the official-in-charge of an octroi post.

(2) Octroi duty on goods or animals liable to octroi shall be paid at an octroi post or at such place as the Panchayat may have fixed for the purpose.

(3) Upon payment the official-in-charge of an octroi post or other place shall draw up a receipt in duplicate in Form XI, of which one copy shall be given to the importer and the other shall remain as counterfoil in the receipt book.

(4) Where there is no octroi post or other place established or fixed by the Panchayat, the goods or animals shall be taken direct to the Panchayat office whom the Secretary of the Panchayat or, where there is no Secretary or if he is absent, the Sarpanch shall examine the goods or animals so brought, assess the amount of octroi, if payable thereon, recover the same and draw up a receipt in duplicate in Form XI, giving one copy duly signed by him to the importer and keeping the other as counterfoil in the receipt book.

107. *Goods brought by railway or motor agency.*—(1) Goods or animals brought by railway shall be deemed to have entered the octroi limits as soon as they pass beyond the railway goods or luggage yard and they then become liable to octroi duty in the same manner as goods or animals brought by road.

(2) Goods or animals brought by motor transport agencies or other means of transport shall be liable to pay octroi duty, if they are so liable, at the octroi post, or where there is no such outpost, octroi duty shall be paid at the Panchayat office.

108. *Goods received by post.*—(1) Goods received by post parcels, shall, if they are liable to pay octroi, be produced at the Panchayat office and the amount of octroi thereon shall be assessed, realised and paid in accordance with sub-rule (4) of rule 106.

(2) The Panchayat may make arrangements with postal authorities whereby a list of all goods received by poste parcels, along with the names of the addressee, may be obtained at the Panchayat

office and if any such parcel is not produced at the Panchayat office within a month of the receipt hereof the Panchayat may take such steps against the addressee as may be provided for in bye-laws.

109. *Exemption from octroi.*—Notwithstanding anything contained in the Act or in these rules octroi shall not be levied on the following goods, namely:—

- (i) head loads of cow-dung, fuel, grass fodder and brushwood;
- (ii) goods on which octroi payable is less than one naya paisa;
- (iii) arms for the use of the military, police or any other departments of the State or the Central Government;
- (iv) goods in, or intended for, private or personal use;
- (v) articles manufactured or produced in the Panchayat circle;
- (vi) bonafide personal and household effects imported by a person on the occasion of his coming to take up his residence within the Panchayat circle;
- (vii) wearing apparel with or without face, utensils, furniture and articles of food belonging to a marriage party.

110. *Penalty for evading payment of octroi.*—If goods or animals passing into a Panchayat circle are liable to the payment of octroi duty, every person who with intent to defraud the panchayat, causes or abets the introduction of or himself introduces or attempts to introduce within the octroi limits, any such goods or animals in respect of which octroi due on such introduction has neither been paid nor tendered shall be punishable with fine which may extend to ten-times the amount of such octroi.

111. *Bye-laws.*—Bye laws, not inconsistent with these rules, may be made [by the Panchayat] under the Act to supplement these rules in the regulation, assessment, realisation and payment of octroi due thereunder.

#### 4. Vehicle tax.

112 *Register of vehicles liable to tax.*—(1) When a Panchayat has decided to levy a tax on vehicles under clause (g) of sub-section (1) of section 64 and the procedure laid down in rules 93 to 96 has been observed in respect thereof, the Panchayat shall cause to be prepared a register of vehicles liable to such tax, specifying therein the name and address of the owner of each such vehicle and the amount of the tax due in respect thereof

(2) Any person who keeps or plies any vehicle on hire whether he be the owner of such vehicle or a person who possesses it or has the loan of it or has the charge of it in any other capacity, shall be deemed to be the person liable to pay the tax on the vehicle.

(3) Every person who becomes possessed of any vehicle, for which he is liable to pay the tax, shall, within fifteen days of his becoming so possessed of the same, be bound to give notice in wri-

ting to the Sarpanch of the fact of his having become possessed of such vehicle.

(4) Any person whose name is registered in the register referred in sub-rule (1), or the agent of any such person, shall be permitted, free of charge, to inspect and take extracts from any portion of the said register which relates to such person.

(5) The Panchayat shall cause such register to be corrected as and when necessary.

113. *Exemption from vehicle tax.*—No vehicle tax shall be leviable in respect of a vehicle—

- (a) if it is a motor vehicle within the meaning of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), or
- (b) if it is used for the purposes of cultivation, or
- (c) if it is a vehicle belonging to the Central or State Government and is used for public purposes,
- (d) if it belongs to the Panchayat.

114. *Recovery of tax in advance and issue of licence.*—(1) The vehicle tax shall be payable every year in advance.

(2) When any person pays the amount of tax due in respect of any vehicle, the Panchayat shall grant him a licence to keep or use such vehicle for the period to which the payment relates in Form XII.

115. *Recovery of tax when not paid.*—(1) If the tax in respect of a vehicle is not paid in accordance with sub-rule (1) of rule 114 the Sarpanch or any other official authorised by the Panchayat in this behalf may at any time seize and detain the vehicle unless such person can prove to the satisfaction of such person that he has paid the vehicle tax.

(2) If the vehicle seized be not claimed and the tax due thereon be not paid within fifteen days from the date of such seizure, the Panchayat may direct that the vehicle shall be sold by public auction and the proceeds of the sale shall be applied in the payment of tax due on the vehicle.

(3) In addition to the amount due as tax such penalty not exceeding twice the amount of the tax as the Panchayat may direct and a sum of rupee one on account of charges incurred in connection with seizure, detention and sale, will also be payable and recoverable out of the sale proceeds.

(4) If the owner of the vehicle or other person entitled thereto claims the same within a week from the date of seizure or at any time before sale, it shall be returned to him on payment of the tax due thereon and such penalty not exceeding the amount of tax as the Panchayat may direct.

## (5) Tax on commercial crops.

116. *Submission of returns.*—After the preliminary procedure laid down in rules 93 to 96 has been observed for the imposition of the tax on commercial crops under section 64-A, it shall be the duty of every person growing on the land occupied by him within the Panchayat circle any commercial crop, as defined in the Explanation to section 64-A, to submit, not less than a month before harvesting such crop, a report of the same to the Sarpanch of the Panchayat and shall furnish a return containing the following particulars:—

- (i) name of the village in which the lands so grown [upon] are situated,
- (ii) area of the lands in terms of bighas in which such commercial crop has been grown [upon],
- (iii) the nature of the commercial crop grown, and
- (iv) the name, father's name and residence of such grower.

117. *Inquiry and assessment to tax.*—(1) The Sarpanch shall make or cause to be made such inquiry as he may consider necessary for the purpose of verifying the return and may, if he thinks fit, cause the area under cultivation to be ascertained by actual measurement.

(2) on the completion of such inquiry, a committee consisting of the Sarpanch, two Panchas and the Village Level Worker of the area wherever such Village Level Worker has been posted or the patwari where no Village Level Worker has been posted shall assess the area in which a commercial crop has been grown, the likely total produce thereof and the amount of tax leviable thereon.

(3) After the assessment has been made under sub-rule (2) the Sarpanch shall cause to be given to the person who furnished the return, a notice of such assessment.

118. *Failure to submit return.*—If any person fails to submit a return required by rule 116, the Sarpanch [with the approval of the committee referred to in sub-rule (2) of rule 117] may on information received from the patwari or otherwise, at any time make the assessment contemplated by rule 117 to the best of his judgement and shall, in every such case, inform, by notice, the person growing the commercial crop on any land within the Panchayat circle of such assessment [with the approval of the committee referred to in sub-rule (2) of rule 117.]

119. *Reduction of assessment.*—On receipt of information from or on behalf of an assessee that due to any agricultural calamity the commercial crop has in any way been damaged or injured the Sarpanch shall make inquiry and if in his opinion substantial damage to the crop is proved, he may make a suitable reduction in the assessment.

(6) Special community service tax.

120. *Procedure to be followed after imposition of special community service tax.*—(1) When a special community service tax under section 65 is duly imposed after having observed the procedure laid down in rules 93 to 96 for the construction of any public work of general utility for the inhabitants of the Panchayat circle, the Panchayat shall cause to be prepared an estimate of the cost thereof and shall deduct therefrom any indirect contribution by the Panchayat or through subscription or by a grant-in-aid, the balance being deemed to be the total cost of the work.

(2) A list of all able-bodied adult male residents of the Panchayat circle shall also be got prepared by the Panchayat for the purpose of the said tax:

Provided that the names of such residents who are blind or lame or diseased or in any way incapacitated for physical work shall not be entered in such list.

121. *Assessment to tax*—Subject to the provisions contained in rules 122 and 123, the Panchayat shall assess each resident whose name is entered in the list prepared under sub-rule (2) of rule 120 with the amount of the tax payable by him, which shall in each case be equal to the *quotient* arrived at by dividing the total cost estimated under sub-rule (1) of rule 120 by the total number of residents of the Panchayat circle entered in the said list.

122. *Panchayat to determine the extent of voluntary labour in case of nonpayment of tax*—(1) For the purpose of the proviso to section 65, the Panchayat shall also determine, in terms of days and hours of daily work, the extent of voluntary labour to be performed by a resident, or on his behalf by another resident, entered in the list prepared under sub-rule (2) of rule 120 in the construction of the work referred to in sub-rule (1) of that rule, in lieu of the payment of the tax to which the first-named resident is assessed under rule 121.

(2) In determining such extent of voluntary labour, regard shall be had to the rate of daily wage, as prevailing in the area in which the work in question is to be constructed, for each labourer employed in similar work.

123. *Tax not to be recovered from persons rendering voluntary labour.*—No resident of the Panchayat circle who offers, and has done, voluntary labour in the construction referred to in rule 120, or who on his behalf has offered, and has got done, the voluntary labour of another such resident with the latter's consent shall be liable himself to do such labour or to pay the special community service tax, as the case may be.

124. *Recovery of tax.*—(i) Every resident, who has been assessed to tax under rule 121, shall be served, immediately after such assessment, with a notice specifying, and demanding payment

of, the amount of tax so assessed or in the alternative requiring him to offer himself or any other resident for voluntary labour as determined under rule 122.

(2) The offer of such labour may, for reasons to be recorded by the Panchayat in writing, be rejected and, in every such case as well as in every case in which no such offer is made, the tax shall be payable in whole in advance.

124-A. *Enforcement of compulsory labour for construction of work of general public utility.*—(1) Whenever a Panchayat by a resolution passed at a special meeting thereof decides by a majority of not less than two thirds of the whole number of its Panchas including the Sarpanch in respect of any work of general public utility meant exclusively for its Panchayat circle as a whole that such work shall be constructed with the manual labour of the male adult residents of the Panchayat circle, the Panchayat shall publish the purport of the resolution for the information of the persons likely to be affected thereby by affixing a notice at some conspicuous places within the Panchayat circle and on the notice board of the Panchayat Office specifying a date, not earlier than thirty days from the date of such notice, on or after which the Panchayat shall take the proposal into consideration.

(2) The notice referred to in sub-rule (1) shall specify the details of the work to be undertaken, the expenditure proposed to be incurred thereon and the date from which the work shall commence.

(3) Any person likely to be affected by the undertaking of work referred to in sub-rule (1) may object to the same in writing on or before the date specified in the notice under sub-rule (1) setting forth clearly the grounds of his objection.

(4) The Panchayat shall consider the objections and may approve the proposal with or without modifications.

(5) After the proposal has been approved by the Panchayat under sub-rule (4), it shall submit the same along with the objections received to the State Government or the officer or authority appointed by the State Government in this behalf.

(6) The State Government, or the officer or authority, as the case may be, may approve the proposal finally or reject it.

(7) When the proposal is finally approved under sub-rule (6), the Panchayat shall prepare a list of all adult male residents for the purpose of carrying out the work.

(8) The Panchayat shall cause to be prepared an estimate of work in terms of hours within which the work shall be completed. Each male adult resident shall be requested to render manual labour equal to the quotient arrived at by dividing the total work hours by the total number of male adult residents, but not exceeding 12 days in a year.



*Explanation.*—A day shall mean eight hours of work.

(7) Recovery of taxes and fees.

125. *Bill for dues.*—(1) For the amount of any tax, fee or other dues payable to the Panchayat, unless a different mode of realisation is expressly prescribed by any of these Rules, a bill shall be prepared in Form XIII and sent to the person liable therefor.

(2) Every such bill shall specify the amount due, the nature thereof, the person from whom it is due and the period for which it is due.

126. *Notice of demand.*—If the sum so due is not paid into the Panchayat office within fifteen days from the presentation of the bill therefor, the Panchayat may cause to be served upon the person to whom such bill has been presented as notice of demand in Form XIV.

127. *Warrant of attachment and sale.*—(1) If the person on whom a notice of demand has been served does not, within fifteen days from the service of such notice of demand, either pay the sum demanded in the notice or show cause to the satisfaction of the Panchayat why it should not be realised, such sum with all costs of the recovery may be recovered by means of a warrant of attachment and sale of the movable property of the defaulter, issued by the Panchayat in Form XV.

(2) Every such warrant shall be signed by the Sarpanch, or, in his absence, by the Up-sarpanch and shall subject to the provision contained in sub-rule (3), be addressed to the Secretary or other clerk of the Panchayat.

(3) Where the property proposed to be attached and sold is beyond the jurisdiction of the Panchayat issuing the warrant of attachment and sale, such warrant shall be addressed to the Sarpanch of the Panchayat within whose jurisdiction such property is for the time being and, where it is in an area for which there is no Panchayat, it shall be addressed to the Tehsildar having jurisdiction.

(4) The Sarpanch of the Panchayat or the Tehsildar receiving the warrant under sub-rule (3) may endorse it to any subordinate officer.

(5) A warrant issued under this rule shall be for the attachment and sale of so much only of the movable property of the defaulter as will suffice to meet the demand of the Panchayat, and the costs of attachment and sale.

128. *Exemption from attachment.*—The following property shall not be liable to attachment and sale under rule 127, namely:—

(a) the necessary wearing apparel, and bedding of the defaulter, his wife and children;

(b) the tools of artisans;

- (c) where the defaulter is an agriculturist, his implements of husbandry, seed-grain, food stuffs for his family for the coming eight months and his cow or calf and filly and
- (d) such ornaments as a woman is prohibited from parting with by custom.

129. *Entry for attachment.*—It shall be lawful for any officer to whom a warrant of attachment and sale under rule 127 addressed or endorsed to break open at any time between sunrise and sunset any outer or inner door of a building in order to effect attachment directed in the warrant, if he has reasonable grounds for believing that such building contains property which is liable to seizure under the warrant and if after notifying his authority and purpose and duly demanding admittance he cannot otherwise obtain admittance:

Provided that such officer shall not enter or break open the door of any apartment appointed for woman, until he has given reasonable notice of his intention, and has given such woman an opportunity to remove herself,

130. *Attachment.*—(1) Subject to the provisions contained in sub-rule (5) of rule 127 and further Subject to the exemptions specified in rule 128 the officer to whom a warrant of attachment and sale is addressed or endorsed shall be competent to attach, wherever it may be found, any movable property of the person named in the warrant.

(2) Such officer shall, on attaching the property, forthwith make an inventory thereof before removing the same or entrusting it with any other person on furnishing sufficient security to his satisfaction, and every inventory prepared under this sub-rule shall be attested by two respectable persons of the locality in whose presence it has been prepared.

131. *Sale of property subject to decay.*—When the property attached is subject to speedy and natural decay, the same may be sold forthwith unless the amount of the demand is tendered and the proceeds of the sale shall be kept in deposit.

132. *Objection to attachment.*—(1) Any person having a claim upon the property attached may file an objection against such attachment within fifteen days from the date thereof.

(2) Such objection shall be investigated into and disposed of by the Sarpanch of the Panchayat issuing the warrant or, in case such warrant has been addressed under sub-rule (3) of rule 127 to the Sarpanch of another Panchayat or Tehsildar, by such Sarpanch or Tehsildar, as the case may be.

(3) If the objection is allowed, the property attached shall be released from attachment or, if it has been sold under rule 131, the sale proceeds thereof shall be paid to the objector.

(4) Pending the final disposal of the objection the seal of the attached property shall not be ordered and, if ordered, shall stand postponed.

(5) Nothing in sub-rule (4) shall relate to or in any way affect a sale made under rule 131.

133. *Sale of attached property.*—In the following cases, namely:—

- (i) when an objection to the attachment has not been filed under rule 132 or, if filed, has been disallowed, and
- (ii) when the defaulter has failed to pay the amount of the demand after the attachment of his property within fifteen days of such attachment and property attached has not been sold under rule 131.

such property shall be ordered to be sold by public auction on a date to be fixed therefor, which shall not be earlier than the twentieth day after the date of attachment.

(2) A notice of such sale by public auction shall be proclaimed by beat of drum in the vicinity of the place, and at some central place in the village or town, where the property to be sold is for the time being.

Provided that from the date of the issue of the notice to the date on which the auction commences, at least fifteen days time shall have lapsed

(3) Bids shall be called for at such auction and the person making the highest bid shall be declared to be the purchaser of the property so auctioned.

(4) The entire amount of the bid shall be paid by the purchaser on the spot.

(5) The Sarpanch or any panch of the Panchayat issuing the warrant of attachment and sale under rule 127, the Sarpanch or any officer to whom it is addressed or endorsed and any officer engaged or employed in the sale of the attached property shall not bid for such property at any sale thereof under this rule.

134. *Appropriation of sale proceeds.*—(1) From out of the proceeds of the sale of any property under rule 131 or rule 133 shall be paid, in the order of priority hereinafter mentioned,—

- (i) the costs incurred in such sale and the dues, if any, on account thereof,
- (ii) the cost of attachment including the cost of maintaining any attached livestock at the rates for their maintenance in a Panchayat cattle pound, and
- (iii) the demand of the Panchayat for the recovery of which the attachment and sale were ordered.

(2) Upon the payment referred to in clause (iii) of sub-rule (1) being made and credited in the Panchayat accounts, a receipt for the same shall be given to the defaulter in Form XI.

(3) The surplus, if any, remaining after the payment mentioned in sub-rule (1), shall be kept in deposit with the Panchayat for payment to the person from whose possession the property was attached.

(4) A notice of such deposit shall be given to the said person and if the same be claimed by written application made to the Panchayat within one year from the date of the notice, a refund thereof shall be made to such person.

(5) [Omitted].

## CHAPTER VII.

### Procedure of Nyaya Panchayats

#### (1) Formation of Benches, and their sittings.

135. *Benches of Nyaya Panchayats how to be formed.*—(1) For each Panchayat circle constituting a Nyaya circle, the Chairman of the Nyaya Panchayat thereof shall form a Bench of the members of such Nyaya Panchayat as provided in sub-section (1) of section 27-D.

(2) The chairman may direct that any Bench so formed for one Panchayat circle shall be [deemed] to have been so formed also for another Panchayat circle within the same Nyaya circle.

(3) The chairman may also direct that any member of one Bench shall, as from a date to be specified in the direction, act as the member of any other Bench of the same Nyaya Panchayat.

(4) The chairman may further direct any Bench formed or deemed to have been formed for a Panchayat circle shall as from a date to be specified in the direction, cease to exercise jurisdiction in that Panchayat circle and be deemed to have been formed for any other Panchayat circle to be specified in the direction.

(5) In forming a Bench under sub-rule (1) or in making a direction under sub-rule (2) or sub-rule (3) or sub-rule (4), special case shall be taken, to see that a member of the Nyaya Panchayat from amongst the electors of a particular Panchayat circle is not a member of the Bench for that Panchayat circle.

136. *Regulation of sittings of Benches.*—(1) For the purpose of the disposal of suits, cases and other business arising in a Panchayat circle a Bench of the Nyaya Panchayat for that Panchayat circle shall ordinarily sit at the headquarters of the Nyaya Panchayat.

Provided that, with the consent of the chairman, any such sitting may be held at any other place within the Nyaya circle.

(2) For the purpose aforesaid a Bench of the Nyaya Panchayat shall ordinarily sit on such day of [the] week, and between such hours of that day, as the chairman may specify.

Provided that, with his consent, such Bench may hold special sittings on other day of a week.

(2) court fees.

137. *Scale of court fees payable on different documents*—(1) In respect of a suit instituted before a Nyaya Panchayat an *ad valorem* court fee shall be chargeable at the rate of ten naye paise for every rupee or part of a rupee of the amount or value of the subject matter of the suit:

Provided that, where such amount or value is less than one rupee, on court fee shall be charged.

(2) In respect of the documents, hereafter mentioned in this sub-rule, fixed court fees shall be charged at the rates specified opposite each category, namely:—

<i>Nature of document.</i>	<i>Court fee chargeable.</i>
1	2
1. Complaint for a criminal charge ....	One rupee.
2. Every application of any kind made during the course of a suit or case ....	Ten naye paise.
3. An application for execution of a decree or order having the force of a decree ....	Fifty naye paise.
4. An application of objection to the attachment of property in execution proceedings ....	Fifty naye paise.
5. Every other application made in execution proceedings ....	Ten naye paise.
6. A power of attorney authorising any person to act as agent in a suit or case	Twenty-five naye paise.
7. An application for obtaining copy	Five naye paise.

Provided that no court fee shall be chargeable—

- (i) in respect of a complaint made by a police officer or any other officer of Government or by or under the authority of a Panchayat or any other local authority,
- (ii) in respect of any application, not being an application for obtaining copy, made during the course of the case stated on such complaint.
- (iii) in respect of an application, not being an application for obtaining copy, made in the course of a suit in respect whereof no court fee is chargeable under the proviso to sub-rule (1),
- (iv) in respect of an application for execution of a decree or order having the force of a decree or an application of objection to attachment or any other application made in execution proceedings if the sum decreed or allowed is less than one rupee.

138. *Court fees how to be paid.*—(1) All court fees shall be paid by means of court fees stamps mentioned in clause (b) of sub-section (1) of section 63, which may be had from any Panchayat office on payment of the face value thereof.

(2) If any such court fee stamps of the requisite face value are not available, the court fees may be paid in cash by depositing it in the panchayat office of the Panchayat circle in which the suit or case has arisen and submitting the receipt therefor to the Bench of the Nyaya Panchayat competent to hear and dispose of the same.

### [3] Issue and Service of summonses.

139. *Issue of summons.*—(1) After a suit or case has been instituted in accordance with the provisions of section 45 and the requisite court fee in respect thereof has been paid, the suit or case shall be referred to the Bench of the Nyaya Panchayat competent to dispose of the same.

(2) The Bench, if it does not dismiss the suit or case under section 37 or under sub-section (1) of section 46 shall issue a summons to the defendant in Form XVI or, as the case may be, to the accused in Form XVII, as provided in sub-section (2) of section 45, subject to the payment of process fees fixed by rule 140.

(3) Every such summons shall be in writing and in duplicate and shall be signed by the Chairman of the Nyaya Panchayat or by a member of the concerned Bench.

(4) If the Chairman of a Nyaya Panchayat considers it expedient in the interest of despatch in work, he may authorise the Nyaya lipik of any Bench of such Nyaya Panchayat to sign summons issued under this rule.

140. *Process fees.*—(1) For every person to whom a summons is issued under rule 139, a process fee shall be payable in advance as follows:—

(a) where the person to be served resides within the Nyaya circle.....50. np. and

(b) where such person to be served resides outside the Nyaya circle.... Rs. 1/—

(2) Such process fee shall be paid in the manner provided in rule 138.

141. *Agency for service of summons.*—(1) A summons issued under rule 139 shall be got served through the Panchayat within whose jurisdiction the defendant or the accused resides, and, if he resides in an area for which no Panchayat has been established, the summons shall be sent for service:—

(a) If it has been issued in the exercise of civil jurisdiction, to the Munsif having jurisdiction in such area or, if there is no such Munsif, to the Civil Judge having jurisdiction,

(b) and if it has been issued in the exercise of criminal jurisdiction, to the Magistrate of the First Class having jurisdiction.

(2) The Munsif, Civil Judge or Magistrate, as the case may be, receiving the summons under sub-rule (1) shall cause it to be served as if it were a summons issued by himself and shall return the duplicate after service to the Nyaya Panchayat issuing it.

(3) In special circumstances, due to inordinate delay in the service of summons or for any other cause and for reasons to be recorded in writing the Nyaya Panchayat may have the service made directly in respect of a person residing in the Nyaya circle or through the Nyaya Panchayat concerned if the person resides outside its jurisdiction.

142. *Mode of service of summons*—(1) The summons shall, if practicable be served personally on the person summoned, by delivering or tendering to him one of the duplicates of the summons.

(2) Every person or whom a summons is so served shall sign a receipt therefor on the back of the other duplicate.

(3) If the person summoned cannot, by the exercise of due diligence be found, the summons may be served by leaving one of the duplicates for him with some adult male member of his family living in commensality with him and the person with whom the summons is so left shall sign a receipt therefor on the back of the other duplicate.

(4) Service of a summons on an incorporated company or other body corporate may be effected by serving it on the secretary, local manager or other principal officer of the corporation, or by registered post letter addressed to the chief officer of the corporation.

(5) If service in the manner mentioned in sub-rule (1) to (4) cannot by the exercise of due diligence be effected, the Serving Officer shall affix one of the duplicate of the summons to some conspicuous part of the house or homestead in which the person summoned ordinarily resides, and thereupon the summons shall be deemed to have been duly served.

#### [4] Hearing and disposal of suits and cases.

143. *Hearing of suits*.—(1) On the date fixed for hearing a suit, the defendant shall, if present, be examined orally for ascertaining whether he admits the claim and, if he admits it, a decree shall be passed against him accordingly.

(2) If the defendant does not admit the claim, the suit shall proceed and the plaintiff (if he offers himself as a witness) and his witnesses shall be examined first and thereafter the defendant (if he offers himself as a witness) and his witnesses shall be examined.

144. *Hearing of cases*.—(1) In the trial of a criminal case, the Nyaya Panchayat shall first explain to the accused the charge

or charges against him and record his reply and if the accused admits his guilt, he may be convicted and sentenced according to law.

(2) If the accused does not admit his guilt and claims to be tried, the trial shall proceed and the complainant shall be required to produce his witnesses including himself, and thereafter the accused shall be called upon to produce his witnesses, if any.

145. *Hearing to run from day to day.*—As far as practicable, the hearing of a suit or case shall be concluded on the date fixed therefor but, if, for any reason, this is not possible, such hearing shall proceed from day to day unless an adjournment thereof to a future date is necessitated by the exigencies of the suit or case itself.

146. *Summoning of witnesses.*—(1) In the summoning of witnesses, the Nyaya Panchayat shall be governed by the provisions of section 48.

(2) A summons shall be in Form XVIII and the provisions of rules 139 to 142 shall, so far as may be, apply to the issue and service thereof and to the process fee payable therefor.

(3) The Nyaya Panchayat may, in the interests of justice, call or recall any person as a witness, either of its own motion or on the application of any party.

(4) Every witness summoned to give evidence or to produce a document shall be entitled to receive the following allowances, namely:—

- (i) Daily allowance at rates varying between 50 nP. per day to Rs. 3/- per day to be determined in each case by the Nyaya Panchayat.
- (ii) Travelling allowance—
  - (a) for journeys by rail or motor bus One fare of the lowest class.
  - (b) for journeys on foot by horse or camel or car or bicycle. Actual expenses of conveyance subject to a maximum of fifteen naye paise per mile:

Provided that Government servants summoned under this rule in their official capacity shall be entitled to receive allowances at the same rates as are admissible to them for journeys performed by them on official duty.

(5) The expenses of a witness summoned under this rule shall be deposited by the party applying for summoning him before a summons is issued:

Provided that the expenses of a witness summoned under sub-rule (3) shall be paid out of the funds of the Nyaya Panchayat upon a certificate to that effect being furnished to him by the Bench hearing the suit or case in which he has been summoned.



147. *Recording of statements and evidence.*—(1) The statement of the defendant under sub-rule (1) of rule 143 and of the accused under sub-rule (1) of rule 144 shall be recorded in full and no oath or solemn affirmation shall be administered to them before making such statements.

(2) Every witness who is produced by a party or appears in response to a summons issued to him for the purpose of giving evidence shall be examined on oath or solemn affirmation by the Bench seized of the case and shall, without being cross-examined or re-examined, be required to answer such questions as may be put to him by any member of the Bench *suo motu* or upon the suggestion of any of the parties to the suit or case :

Provided that such statements shall not be recorded in whole but the purport thereof only shall be recorded in the form of a narrative by or at the dictation of any member of the Bench.

148. *Production of documents.*—If a document is produced by a party or a witness before the Bench hearing the suit or case, the Bench shall cause the document to be copied, mark the copy, after comparing it with original, to be true copy and return the original document to the person producing the same.

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149. *Issue of commission* —(1) If the evidence of any such person as is mentioned in sub-section (1) of section 48-A is considered essential in the ends of justice, the Bench hearing a suit or case may, on an application made in this behalf by any party thereto or on its own motion, make an order for the issue of a commission for the purpose and require the party at whose instance or for whose benefit the order has been made to deposit such sum as it may consider reasonable to meet the expenses of the commission.

(2) Upon the deposit referred to in sub-rule (1) being made, a commission shall be issued in form XIX to one of the members of the Bench issuing the same, desiring him to examine the witness at his residence and to record his evidence in the manner laid down in sub-rule (2) of rule 147.

(3) If the witness to be examined on commission resides at a place outside the limits of nyaya circle, the commission may be issued to the chairman of the Nyaya Panchayat having jurisdiction over such place and the chairman to whom such commission is issued may endorse it to any member of the Nyaya Panchayat of which he is the chairman.

(4) The person to whom the commission is addressed or endorsed shall issue a notice to the witness and the parties to the suit or case in which the commission is issued, specifying the date and time on and at which he shall reach the place of residence of the witness and requiring the witness to remain present there and the parties to proceed to the said place if they so desire.

150. *Execution of commission.*—(1) The person to whom the commission issued or endorsed shall proceed to the place where the witness is and shall take down his evidence as specified in sub-rule (2) of rule 149.

(2) The statement so recorded shall be signed, by or marked with the left thumb impression of, the person examined and shall be attested by atleast one identifying witness and shall form part of the record of the case as the case may be.

151. *Return of commission.*—After the commission has been duly executed, it shall be returned together with the deposition of the witness examined thereunder to the Bench which issued it; and the commission, the return thereto and the deposition shall be open at all reasonable times to inspection of the parties and may, subject to all just exception, be read in evidence in the case by either party and shall form part of the record.

152. *Judgement and decree.*—(1) Upon the conclusion of the evidence and the hearing of arguments, if any, in a suit or case, the Bench hearing the same shall proceed to pass judgement therein.

(2) Every such judgement shall be in writing and shall contain briefly the facts, the decision and the reasons therefor and shall be signed by all the members of the Bench.

(3) The judgement shall be pronounced in open by the members who have signed it or by any one of them or by member or members succeeding them or any of them in office and shall be deemed to be the judgment of the Nyaya Panchayat.

(4) The signature of the parties present at the time of delivery of judgement or, if they are illiterate, their thumb impressions shall be obtained below the judgement in token of their having received an intimation of the same, and where any party is not so present, an intimation of the result of the suit or case shall be communicated to him by means of a notice issued in form XX and served on him in the manner laid down for the service of a summons.

(5) Immediately after the delivery of judgement in a suit, a decree shall be prepared in Form XXI and signed by all or any of the members who heard the suit, or, if none of them is available, by their successors in office.

153. *Provision for part-heard cases.*—(1) All suits and cases transferred to a Nyaya Panchayat under section 27-E shall be distributed among the Benches thereof on the principles laid down in rule 135 and 136 and the hearing of each suit or case by the Bench competent to dispose of it shall commence from the stage at which it might have been pending.

(2) If during the course of hearing by the Bench concerned of a suit or case, any change occurs in its formation for any reason, such hearing shall not start afresh but shall be continued by the Bench or the members succeeding the original Bench or members from the stage at which the suit or case was before such change.

(5) Execution.

154. *Execution of sentence.*—A sentence passed in a case under section 30 shall be executed in the manner provided in section 34.

155. *Who can execute.*—(1) A decree or order having the force of a decree shall ordinarily be executed by the Nyaya Panchayat which passed the same.

(2) In any of the following cases namely:—

- (a) When the judgment-debtor does not own any movable property within the Nyaya circle, or
- (b) When any such property of the judgment-debtor is not for the time being within the Nyaya circle,
- (c) When it is not possible for the Nyaya Panchayat to execute the decree or order in accordance with these rules, or
- (d) When the Nyaya Panchayat finds it otherwise difficult to execute the same, it may transfer the decree or order having the force of a decree to the Munsif having jurisdiction over the Nyaya circle or, where there is no Munsif, to the Civil Judge having such jurisdiction by forwarding to him—
  - (i) a copy of the decree or order, and
  - (ii) a statement showing the reasons for such transfer and, in case such decree or order has been partly executed, specifying the extent to which it has been executed and the balance remaining unsatisfied.

156. *Application for execution.*—(1) An application for the execution of a decree or order having the force of a decree shall be presented within three years from the date of the decree or order and the provisions of section 48 of the Code of Civil Procedure, 1908 (Central Act 5 of 1908) and of article 1-2 of the First Schedule to the Indian Limitation Act, 1908 (Central Act 9 of 1908) shall apply.

(2) Such application shall bear court fee as prescribed in rule 138 and shall be accompanied with a certified copy of the decree or order sought to be executed.

(3) On the presentation of an application for the execution of a decree or order having the force of a decree, the Nyaya Panchayat

shall examine it to see whether it is in order and, if not, it may reject the application or may return it for presenting the same after correction within a time fixed by it.

(4) Any application, presented within such time after correction according to the direction of the Nyaya Panchayat, will be deemed to have been presented on the date on which it was originally presented.

(5) After the application has been examined, it shall be registered.

157. *Issue of notice*—(1) After the application has been registered the Nyaya Panchayat shall issue a notice in Form XXII to the judgement-debtor requiring him to pay up the decretal amount within thirty days of the receipt thereof by him.

(2) If after service of the notice under sub-rule (1) the judgement-debtor does not pay the decretal amount within the time fixed, the Nyaya Panchayat shall require both the parties to present themselves on a further date to be appointed by the Nyaya Panchayat.

158. *Order for payment by instalments*.—If on the date appointed under sub-rule (2) of rule 157 the judgment-debtor appears and prays for an order of payment by instalments, the Nyaya Panchayat may order that the decretal dues shall be paid by such number of instalments as it deems proper in the circumstances of the case and shall specify the date on which each such instalment shall become due for payment.

159. *Application for attachment and sale*.—If on the date appointed under sub-rule (2) of rule 157 neither the decretal dues are paid nor a request for an order for payment by instalments is made or if, as the case may be, any instalment ordered under rule 158 is not paid on the due date thereof, the decree-holder may present an application for the attachment and sale of the movable property of the judgement-debtor.

(2) Alongwith the application, the decree-holder shall deposit in the Panchayat office—

(i) a sum of one rupee by way of fee for attachment and sale, and

(ii) Such reasonable amount as the Nyaya Panchayat may fix by way of expenses of the officer or officers of the Nyaya Panchayat or Panchayat to be incurred in proceeding to the spot for attachment and sale and on account of the custody of the property attached or on account of the live-stock attached.

160. *Warrant of attachment and sale*.—(1) The Nyaya Panchayat shall, upon an application made under rule 159, issue a warrant in form XXIII for the attachment and sale of so much of the

movable property of the judgement debtor, specified in the warrant, as shall be approximately sufficient to satisfy the decretal amount and costs.

(2) The warrant shall be signed by the Chairman or any member of the Nyaya Panchayat issuing the same and shall be addressed to the Nyaya Lipik or any other official of the Nyaya Panchayat.

161. *Exemptions from attachment*—(1) The following categories of property of the judgement debtor shall not be liable to attachment and sale in execution of a decree or order having the force of decree, namely:—

- (a) bullocks, cows, calves and fillies and tools of artisans;
- (b) the necessary wearing apparel and bedding of the judgement debtor, his wife and children;
- (c) when the judgement debtor is an agriculturist his implements of husbandry, seed-grain and food stuffs for his family for the coming eight months;
- (d) such ornaments as a woman is prohibited from parting with by custom.

(2) No Nyaya Panchayat shall attach or sell any immovable property in execution of a decree or order having the force of a decree.

162. *Attachment and sale*.—The provisions of rules 130 to 134 *Mutatis Mutandis* apply, so far as may be, to every attachment and sale made in execution of a decree or order having the force of a decree.

163. *Application of sale proceeds*.—(1) From out of the proceeds of the sale of any property under rule 162 shall be paid:—

- (a) the entire amount due under the decree, and
- (b) the costs of execution.

(2) The surplus, if any, shall be refundable to the judgement-debtor and the provisions of sub-rules (3) to (5) of rule 134 shall apply to such surplus and the refund thereof.

164. *Maintenance of Registers*—Every Nyaya Panchayat or Bench thereof shall maintain the following registers:—

- (1) Register of proceedings in Form XXIV;
- (2) Register of criminal cases in Form XXV;
- (3) Register of civil cases in form XXVI;
- (4) Register of fines in Form XXVII;
- (5) Register of court fees in Form XXVIII;
- (6) Register of expenses to be paid to a witness in form XXIX; and
- (7) Register of summons and notices issued by the Nyaya Panchayat in Form XXX.

## CHAPTER VII

## Village Volunteer Force.

165. *Preparation of Register of Volunteers.*—As soon as a Panchayat decides to organise a village Volunteer Force, hereafter in this chapter referred to as the Force, it shall cause to be prepared in Form XXXI, a register of all such able bodied male persons above the age of eighteen years residing within the Panchayat circle, who may be desirous of enrolling themselves as members of the Force.

166. *Chief officer of the Force.*—Subject to the approval of the District Magistrate, the Sarpanch shall, for the purpose of commanding the Force, appoint a Chief Officer from amongst the members of the Force.

167. *Qualifications of Chief Officer.*—(1) A member of the Force, in order to be eligible for appointment as Chief Officer, must be—

- (a) over 21 years of age on the date of such appointment,
- (b) of good moral character,
- (c) physically fit to stand the rigours of outdoor duties, and
- (d) able to read and write Hindi in Devanagri script.

(2) In selecting a person from amongst the members of the Force for appointment as Chief Officer, preference shall be given to a member who has had war or police service to his credit or has been a member of the National Cadet Corps.

168. *Training of Chief Officer.*—(1) The Chief Officer shall, after his appointment, be required at the cost of the Panchayat to undergo such course of training and for such period as the State Government may, by order, direct.

(2) Upon the completion of the training, the Chief Officer shall be required to pass a test and, if found successful, he shall be granted a certificate in Form XXXII.

169. *Declaration.*—All member of the Force including the Chief Officer shall make a declaration in Form XXXIII and shall upon making such declaration, be entitled to receive a certificate of enrolment in Form XXXIV under the seals and signatures of the Sarpanch and Collector of the District or any other officer authorised by him in this behalf.

170. *Training of Force.*—(1) As soon as possible after a certificate in Form XXXII has been granted to the Chief Officer under sub-rule (2) of rule 168, he shall arrange, with the limits of the Panchayat circle, a course of training for the members of the Force.

(2) Such training shall consist of a course in—

- (a) physical drill,

- (b) fire fighting,
- (c) general watch and ward,
- (d) resisting dacoits and burglars,
- (e) repairing breaches of bunds and other irrigation embankments,
- (f) first aid,
- (g) promoting a feeling of goodwill not co-operation between the different communities of the Panchayat circle, and
- (h) taking precautionary measures in the case of outbreak of epidemic diseases such as cholera, smallpox, plague, malaria, etc.

(3) The syllabus relating to the course of training of the Force shall be prescribed by the State Government.

(4) The Force shall be trained under the control and guidance of an officer to be appointed by the State Government for the purpose.

(5) Upon the completion of the training, a member of the Force shall be required to pass a prescribed test and, if found successful, shall be awarded a certificate in Form XXXV.

(6) After a member of the Force has been granted certificate under sub-rule (5), he shall be required to attend physical drills for at least one day in a week.

(7) Such physical drills shall be held in batches formed by the Chief Officer in consultation with the Sarpanch.

171. *Uniforms, etc.*—While under training or on duty or proceeding to or returning from duty or training, the Chief Officer Sectional Officers and members of the Force shall be entitled to use uniforms consisting of shirts, shorts and forage caps, to carry the usual equipments and to wear a volunteer's armlet or badge in the form approved by the Sarpanch.

(3) No armaments or emblems other than those authorised under this rule shall be worn by a member of the Force along with his uniforms.

172. *Division of the Force.*—(1) The Chief Officer may, for the sake of administrative convenience, divide the Force into squads and place each squad in charge of a Sectional Officer to be selected by him from amongst the members of the Force.

(2) The different squads shall be known by the following names:—

- (a) fire squad,
- (b) watch and ward squad,
- (c) peace squad,
- (d) first aid squad,

(e) such other squads as the Chief Officer may, in consultation with the Sarpanch from time to time, form.

173. *List of members.*—The Chief Officer shall be responsible for maintaining, in duplicate, accurate and complete lists of all members of the Force in Form XXXVI and shall enter in the appropriate columns thereof reference to all rewards earned by a member of the Force including the Sectional Officer.

174. *Call for duty.*—(1) A member of the Force shall be liable to be called out for duty at any time during any emergency and the failure of any member to assemble at the specified place on the sending of an alarm signal shall, in the absence of a satisfactory explanation, be deemed to be an infringement of the provisions of these Rules.

(2) After the award of a certificate under sub-rule (5) of rule 170 and until discharge, a member of the Force shall normally be required to be on duty in any capacity at least for three days in a month and shall attend the annual volunteers' Rally.

(3) While the convenience of the members of the Force shall ordinarily be taken into account by the Chief Officer in preparing a chart of their duties, the members shall comply with the roster of duties allotted to them by the Chief Officer.

(4) A member of the Force shall normally be called out for duty in his own Panchayat circle but during an emergency he may be liable to be called out for duty in neighbouring Panchayat circles also.

(5) The members of the Force shall be liable to be called out for duty under the orders of the Sarpanch at any time whether by day or night, when the Sarpanch is of the opinion that an emergency has arisen.

175. *Duties of the Force.*—(1) It shall be the duty of every member of the Force to assist in the maintenance of peace and tranquillity within the Panchayat circle and to inculcate the habit of self-reliance and discipline and develop a sense of civic responsibility among the residents thereof.

(2) Subject to the general or special orders of the State Government, the Force may be required to perform all or any of the following duties, namely—

- (a) Prevention of commission of crime,
- (b) protection of life and property,
- (c) suppression of disorders,
- (d) reporting and checking of rumours to disturb the peace,
- (e) fighting fire, famine and epidemics,
- (f) rendering first aid and helping in removal of casualties to hospitals,



- (g) organising and regulation of melas,
- (h) service of notice and summons and execution of the orders of the Panchayat,
- (i) collecting data such as census and the like, and
- (j) discharging any other functions which may be assigned to them.

(3) The Chief Officer shall comply with the orders issued by or under instructions from the Sarpanch and all Sectional Officers and other members of the Force shall comply with the orders of the Chief Officer.

(4) Every member of the Force shall carry out promptly and with due diligence all orders of his superior officers or of any police officer or other servant of the State Government to whom he is subordinate and at whose disposal his services have been placed under rule 176.

176. *Requisition for assistance of Force*—A police officer or any other servant of the State Government, while on duty in connection with the prevention of a breach of the peace in a panchayat circle, may, on application made to the Chief Officer through the Sarpanch, seek such assistance of the Force as the police officer or the servant of the State Government may require.

177 *Removal from the Force*—Any member of Force who—

(1) while on parade or engaged on duty or wearing volunteers' uniform or armlets—

- (a) uses or threatens to use force against or uses threatening or improper language to, his superior officer, or
- (b) disobeys any standing order or lawful command given by his superior officer, or
- (c) neglects to obey a general order given by the Chief officer or the officer of the section to which he belongs,
- (d) is found in a state of intoxication,
- (e) being an officer of the Force, causes violence to, or maltreats, or abuses, any person who is subordinate to him in rank or position and who is subject to the provisions of these Rules, or

(2) without sufficient cause, fails to attend a parade at the time fixed or to perform any duty assigned to him or deserts the Force while attending such parade or discharging such duty; or

(3) without sufficient cause, fails to complete any part of the training which, by or under these Rules, he is required to complete; or

(4) uses or offers violence to any person who is placed in his custody, whether under these Rules or under any other law for the time being in force; or

(5) If in charge of any property belonging to the Panchayat or the State Government, illegally disposes of it or allows it to be illegally disposed off; or

(6) Wilfully damages or negligently loses or damages any property belonging to the Panchayat or the State Government;

(7) knowingly furnishes a false return or report about the number of men under his command or charge or of any money, clothing, equipment, stores or other property in his charge; of

(8) makes a declaration in pursuance of his duties, which he either knows or believes to be false or does not believe to be true, or

(9) knowingly makes against any person any complaint which he either or knows or believes to be false or does not believe to be true; or

(10) fails to take case of any uniform, armlet or equipment supplied to him; or

(11) fails to show, while on duty, courtesy to the public; shall be liable to be removed from the Force.

178. *Certificates of appreciation.*—(1) The Panchayat or Panchayat Samiti may grant a "Certificate of Appreciation" to the Chief Officer or a member of the Force serving in a Panchayat circle for good work done by him.

(2) A list of such certificates of appreciation issued to Chief Officer or members of the Force will be maintained in a register maintained for the purpose.

179. *Rewards.*—(1) Rewards may be granted to members of the Force in cash or kind.

(2) The grant of a reward to be member of the Force shall be sanctioned, upon the recommendation of the Panchayat or the Panchayat Samiti, by the officer in charge of Panchayats in his discretion.

180. *Distribution of rewards.*—(1) The distribution of reward in cash or in kind during a year shall be made in a benefitting manner at the Annual Rally or at a function specially organised for the purpose.

(2) Proper receipts shall be obtained from persons receiving rewards in cash.

181. *Members of the Force prohibited to accept rewards from public*—An individual member of the Force shall not accept any reward either in cash or in kind from a member of the public but it shall be lawful for the Sarpanch to accept a gift of money or presents from any person as a token or public appreciation of the good work done by the Force.

182. *Discharge from the Force.*—(1) A member of the Force may be discharged by the Sarpanch at any time on the ground of

physical incapacity or for any other satisfactory reason with the approval of the Panchayat.

(2) Every member who is discharged from the Force shall be entitled to receive a certificate of discharge in Form XXXVII and shall thereupon surrender to the Chief Officer his certificate or enrolment together with the uniforms, armlets and equipments applied to him.

183. *Expenditure.*—All expenses in connection with the Force will be met from the Panchayat Fund, contributions from the State Government if any, donations from the public.

184. *Superintendence and control of the Force*—It shall be lawful for the District Magistrate assisted by the Superintendent of Police or for such other officer as may from time to time be appointed by the State Government to exercise the power of general superintendence, direction and control over the Force within a district.

185. *Standing orders.*—All standing orders shall be made by the Chief Officer in consultation with the Sarpanch.

## CHAPTER IX.

### CATTLE POUNDS.

186. *Duties of pound keeper.*—(1) A pound keeper may be separately appointed by the Panchayat or his duties may be entrusted to any employee of the Panchayat appointed by it or to any Panch or the Sarpanch. It shall be the duty of the pound keeper.—

(a) to maintain the following register relating to the pounds:

(i) Cattle pound register in Form No. XXXVIII.

(ii) Receipt Register showing particulars of the impounded cattle in Form No. XXXIX,

(iii) Pass Book showing delivery of the cattle impounded in Form No. XL and XLI,

(iv) Account of charges to be paid by the owner of the cattle in Form No. XLII and of sale proceeds.

(b) to prepare such statements as may be directed from time to time by the Panchayat; and

(c) to keep the cattle impounded safe and arrange for protection from heat, cold and rain and also to feed them.

(2) All expenses relating to the pound and feedings and watering of the impounded cattle shall be charged to the Panchayat Fund and all incomes therefrom shall be deposited into it.

187. *Persons who can seize cattle.*—Any of the following persons may seize or cause to be seized any cattle and bring or cause to be brought the cattle within twenty-four hours to the pound established for the purpose.—

(a) the cultivator or occupier of any land where the cattle has trespassed on the land and has damaged it or any crop or produce therein :

(b) the person who has advanced cost for the cultivation of the crop or produce on any land which the cattle has trespassed and has caused damage thereto;

(c) the vendee or mortgagee of such crop or produce or any part thereof, of the land which the cattle has trespassed over and caused damage to;

(d) the buyer of such crop or produce or any part thereof of the land on which the cattle has trespassed and caused damage;

(e) the person incharge of public roads, pleasure grounds, plantations, canals, drainage works, embankments and the like, or any public servant who finds the cattle causing damage to such roads, grounds plantations, canals; drainage works, embankments and the like or the sides or slopes of such roads, canals drainage works or embankments, or found straying thereon;

(f) a person appointed on behalf of the persons mentioned in clauses (a) to (d) above to watch such land; and

(g) the Lambardar, Sehra or Chowkidar and any public servant who finds the cattle staying.

188. *Rates for feeding and watering of cattle in the pound to be exhibited.*—A list of fines and of the rates of charges for feeding and watering shall be posted in a conspicuous place on or near the pound.

189. *Entry of the cattle in register*—When cattle are brought to a pound, the pound keeper shall enter in a register in Form No. XLII.

(i) the number and description of the cattle;

(ii) the day and hour on and at which they were brought;

(iii) the name and residence of the seizer;

(iv) the name and residence of the owner of the cattle if known; and

(v) marks of identification of the cattle such as colour; horn, tail, hair etc.

190. *Receipt of the cattle to be given.*—After impounding the cattle so brought the pound keeper shall prepare a receipt in duplicate and shall give the seizer or his agent a copy of such receipt and obtain his signature or thumb mark as the case may be, on the counterfoil of the receipt book in token of its acknowledgement. Description of each cattle shall be noted in the register provided for the purpose.

191. *Hours during which cattle may be impounded.*—Cattle may be impounded any time during the day and up to 10 p. m. in

the night subject to the condition that the seizer of the cattle while impounding them, in his presence, shall obtain a receipt of such cattle from the pound keeper.

192. *Panchayat to fix hours of feeding and watering cattle.*—The Panchayat shall fix up the hours of feeding and watering the cattle and only fine shall be recoverable in case of those cattle which were neither fed nor watered.

193. *Arrangements for watering of the cattle.*—The Panchayat shall make proper arrangements for vessels for watering the cattle impounded.

*Explanation.*—This arrangement shall be in addition to the arrangement which the Panchayat may make for taking the cattle for watering at the appointed time.

194. *Delivery of the cattle to the owner.*—(a) If the owner of the cattle or his agent appears within a week and claims the cattle, the pound keeper shall deliver to him the cattle, on Payment of the fines and charges, if any, incurred in respect of such cattle.

(b) The owner of the cattle or his agent on taking back the cattle shall sign in token of receipt of the cattle in the registered prescribed for the purpose.

195. *Release of cattle on grounds of wrongful seizure.*—If the owner or his agent appears and refuses to pay the said fines and expenses, on the ground that the [scizure] was illegal and the owner is about to make a complaint, then on deposit of fines and charges if any incurred in respect of the cattle the cattle shall be delivered to him.

196. *Sale of failure to pay fines etc.*—If the owner or his agent appears and refuses or fails to pay or deposit the said fines and charges, as many of the cattle as may be necessary shall be sold by public auction by the Panchayat after giving a notice of fifteen days. The fines leviable and the expenses of deeding and watering together with the expenses of sale, if any, deducted from the proceeds of the sale. The remaining cattle and the balance of the purchase money, if any, shall be delivered to the owner or his agent, together with an account showing:—

- (i) the number of cattle seized;
- (ii) the time during which they have been impounded;
- (iii) the amount of fines and charges incurred;
- (iv) the manner in which the proceeds have been disposed.

*Note:*—The owner or his agent shall give a receipt for the cattle delivered to him and for the balance of the purchase money (if any) paid to him according to such account. If the owner of the cattle or his agent refuses to pay or deposit the fines and expenses incurred in respect of the cattle, then a written report may be obtained, if possible, from him.

197. *Receipt for recovery of fines etc.*—If the cattle are released, the owner of the cattle or his agent shall be given one of the duplicate copies of the receipt in Form No. XL and his signature obtained in the register in token of his having paid the fines or charges if any incurred on the cattle below the receipt. After adding the amount of the receipt to the amount of the last receipt the total shall be written in place of the total money received. This total shall be progressively increased which shall only be written when both the foils of the receipt are prepared.

198. *Receipt to be given to the buyer.*—If the cattle are auctioned the buyer shall be given a receipt in Form No. XLI duly signed by the Sarpanch of the Panchayat.

199. *Unclaimed cattle.*—If the cattle be not claimed within seven days from the date of their being impounded, the poundkeeper shall enter the fact in the register in XXXVIII and make a report to the Panchayat.

200. *Pound keeper's report regarding unclaimed cattle.*—In the report which the pound keeper shall make in accordance with rule 199, he shall enter the details of expenses of feeding and other expenses, if any.

201. *Disposal of cattle not released within a week*—On receiving a report about the cattle not released within a week, the following action shall be taken after opening a file thereof:—

(a) The Panchayat shall give a notice to the effect that any person who may have objection to the auction of the cattle concerned, should prove it to be correct, and that no objection shall be entertained after expiry of the period as may be specified [(which shall not be less than 30 days)] in such notice. In the notice the following particulars shall necessarily be stated—

(1) the number and description of the cattle;

(2) the place where they were seized; and

(3) the place where they are impounded;

*Note.*—Such notice shall be published in the village nearest the place of seizure.

(b) While publishing the notice, the Panchayat shall simultaneously and conditionally auction such cattle and the auction money realised shall be deposited in suspense account. Following shall be the conditions of auction of the cattle—

(i) the buyer of the cattle shall not transfer the cattle within the period of notice in case no objection is filed, and by the final decision of such an objection, if filed;

(ii) he shall also return the cattle to the Panchayat on payment the auction money and the expenses of feeding of the cattle.

*Note.*—The auction will be held for three days, but no such period of 3 days shall be necessary if the auction fetches full price of the cattle earlier.

(c) If any objection be filed by any person during the period of notice, the Panchayat shall require him to prove his ownership of the cattle. The Panchayat shall order the return of the cattle to the person who files the objection if he proves them to be his own.

*Explanation.*—During the period of proceedings if the Panchayat is satisfied that the cattle are of the person filing the objection and that no further action is necessary then the Panchayat, with a view that the expenses of feeding and watering may not unnecessarily increase, may, if it thinks proper deliver the cattle to such person on production of adequate security.

(d) In case of delivery of the cattle to the person filing the objection, the fine and expenses of feeding shall be recovered from him. The fine and expenses of the period the cattle remained in the pound, shall be deposited in the account of the cattle pound and out of the expenses of feeding, the Panchayat shall pay the feeding charges as it thinks fit up to the day of the conditional auction. The balance if any, shall be carried to the funds of the Panchayat.

(e) In case no objection is received from any person or the cattle could not be proved of the person who filed objection, the Panchayat while ordering the auction of the cattle, shall deposit the fine and expenses of feeding the cattle into the account of the cattle pound and the balance, if any, of the auction money shall be carried to the funds of the Panchayat.

Provided that the conditional auction shall be final only after the final decision of the appeal made against the decision of the Panchayat.

202. *Inspection of cattle pound.*—The cattle pound shall be open to inspection by any officers of the Panchayat and Development Department, Collector, Assistant to the Collector for Panchayat, Sub-Divisional Officer and any other officers authorised by the Collector. At the time of inspection the inspecting officer shall examine the total of Columns in the register and shall see that the progressive totals in the receipt are accurately posted and that they with the amount deposited in the Panchayat fund. They shall also examine and count the cash if any with pound keeper.

203 *Scale of feeding and watering charges.*—The following shall be the scale of charges of feeding and watering:

Cattle.	Charges per day.
1. Elephant	Rs. 10 00 nP.
2. Camel	Rs. 2.00 nP.
3. Horse	Rs. 2.00 nP.

197. *Receipt for recovery of fines etc.*—If the cattle are released, the owner of the cattle or his agent shall be given one of the duplicate copies of the receipt in Form No. XL and his signature obtained in the register in token of his having paid the fines or charges if any incurred on the cattle below the receipt. After adding the amount of the receipt to the amount of the last receipt the total shall be written in place of the total money received. This total shall be progressively increased which shall only be written when both the foils of the receipt are prepared.

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(2) the place where they were seized; and

(3) the place where they are impounded;

*Note.*—Such notice shall be published in the village nearest the place of seizure.

(b) While publishing the notice, the Panchayat shall simultaneously and conditionally auction such cattle and the auction money realised shall be deposited in suspense account. Following shall be the conditions of auction of the cattle—

(i) the buyer of the cattle shall not transfer the cattle within the period of notice in case no objection is filed, and by the final decision of such an objection, if filed;

(ii) he shall also return the cattle to the Panchayat on payment the auction money and the expenses of feeding of the cattle.



*Note.*—The auction will be held for three days, but no such period of 3 days shall be necessary if the auction fetches full price of the cattle earlier.

(c) If any objection be filed by any person during the period of notice, the Panchayat shall require him to prove his ownership of the cattle. The Panchayat shall order the return of the cattle to the person who files the objection if he proves them to be his own.

*Explanation.*—During the period of proceedings if the Panchayat is satisfied that the cattle are of the person filing the objection and that no further action is necessary then the Panchayat, with a view that the expenses of feeding and watering may not unnecessarily increase, may, if it thinks proper deliver the cattle to such person on production of adequate security.

(d) In case of delivery of the cattle to the person filing the objection, the fine and expenses of feeding shall be recovered from him. The fine and expenses of the period the cattle remained in the pound, shall be deposited in the account of the cattle pound and out of the expenses of feeding, the Panchayat shall pay the feeding charges as it thinks fit up to the day of the conditional auction. The balance if any, shall be carried to the funds of the Panchayat.

(e) In case no objection is received from any person or the cattle could not be proved of the person who filed objection, the Panchayat while ordering the auction of the cattle, shall deposit the fine and expenses of feeding the cattle into the account of the cattle pound and the balance, if any, of the auction money shall be carried to the funds of the Panchayat.

Provided that the conditional auction shall be final only after the final decision of the appeal made against the decision of the Panchayat.

202. *Inspection of cattle pound.*—The cattle pound shall be open to inspection by any officers of the Panchayat and Development Department, Collector, Assistant to the Collector for Panchayat, Sub-Divisional Officer and any other officers authorised by the Collector. At the time of inspection the inspecting officer shall examine the total of Columns in the register and shall see that the progressive totals in the receipt are accurately posted and that they with the amount deposited in the Panchayat fund. They shall also examine and count the cash if any with pound keeper.

203 *Scale of feeding and watering charges.*—The following shall be the scale of charges of feeding and watering:

Cattle.			Charges per day.
1.	Elephant	....	Rs. 10 00 nP.
2.	Camel	....	Rs. 2 00 nP.
3.	Horse	....	Rs. 2 00 nP.

4. Buffalo	....	....	Rs. 1.50 nP.
5. Cow and bullock	....	....	Rs. 0.75 nP.
6. Donkey	....	....	Rs. 1.00 nP.
7. Calf	....	....	Rs. 0.75 nP.
8. Goat	....	....	Rs. 0.25 nP.
9. Sheep	....	....	Rs. 0.25 nP.
10. Others	....	....	Rs. 1.00 nP.

Note—Cattle shall include feral cattle where it is mentioned.

204. *Advances to the pound keeper.*—A Panchayat shall advance an amount up to Rs. 10/- to the pound keeper for purposes of management, who shall make the necessary arrangement under the supervision of the Panchayat, for the feeding and watering of the cattle impounded. Every pound keeper who receives advance money shall have to give, in writing a receipt to the effect, that the money is due from him and he shall render its account. Such receipt shall be kept on the safe file of the Village Panchayat. Any balance of such advance if due, from the pound keeper at the close of financial year shall be shown in the monthly account of March every year. The advance which may be given to the pound keeper shall be part of the Panchayat fund.

Provided that the daily income of the cattle pound shall be deposited by the pound keeper on the next day with the Panchayat.

205. *Rates of fines on the owners impounded the cattle.*—The fine on the cattle impounded shall be recoverable from their owner at the following scale:—

Cattle.			Fine per head
1. Elephant	....	..	Rs. 5.00 nP.
2. Horse	....	....	Rs. 1.00 nP.
3. Buffalo	....	....	Rs. 1.00 nP.
4. Cow and Bullock	....	....	Rs. 0.75 nP.
5. Camel	....	....	Rs. 1.00 nP.
6. Goat	....	....	Rs. 0.50 nP.
7. Others	....	....	Rs. 0.50 nP.

206. *Prohibition as to the bidding in auction.*—No member of the Panchayat or employee thereof shall offer his bid in the auction.

207. *Custody of security bond of the pound keeper.*—The security bond of the pound keeper shall be kept in the custody of the Sarpanch.

208. *Special provisions regarding Hariya Gaya in Bharatpur District.*—(a) In the case of "Hariya" Gay" (cows set free for grazing at night) the provisions of rules 186 to 207 shall apply with these modification—

- (i) such cows may be auctioned on the expiry of two days instead of the period of seven days mentioned in sub-rule 199 and 201;
- (ii) the fine recoverable under rule 205 for such cows shall be Rs. 10/- per head and out of the fine an amount of Rs. 5/- shall be paid as a reward to the person who seized the cow and brought it to the pound, and
- (iii) such cows may be sent to a neighbouring Panchayat for auction, if the Panchayat within whose jurisdiction they were seized finds that no person is prepared to bid at its auction.

*Explanation.*—“Haria Gay” means cows set free at night for grazing on green fields without any attendant to look after them, in a manner that might cause damage to the crops.

(b) Where a neighbouring Panchayat auctions “Haria Gay” under clause (a) it shall remit the sale proceeds, minus expenses, to the original Panchayat.

(c) This rule shall apply only to the District of Bharatpur and to such other areas as may be notified from time to time by the Officer incharge of Panchayats.

209. *Provisions where the ownership of cattle is in dispute in a court of law.*—In case where the ownership of the impounded cattle is in dispute in court of law or otherwise, the court may direct that the cattle shall be kept in the cattle pound of the Panchayat for a period to be specified in that order and that the approximate charges on account of feeding of the cattle etc. shall be deposited in the advance by the party concerned.

Provided that if this party does not pay in advance the sum fixed by the Panchayat under this rule there is no such party to pay the aforesaid sum, the court may order the payment of such sum from its own funds.

## CHAPTER X

### Vital statistics

210. *Panchayat to maintain a register of births, deaths and Marriages.*—Every Panchayat shall maintain a register of births, deaths and marriages. The particulars about births, deaths and marriages shall be entered separately for every village and the Sarpanch shall be responsible for the correct maintenance of the register.

211. *Registration offices.*—One or more registration offices for the registration of births, deaths and marriages may be established by the Panchayat with the area of its jurisdiction and such offices may be notified by a public notice wherein specific portions of each office may be prescribed. Each office may be under the charge of one or more Panch. Each Panch shall act as the Registration Officer for the area from which he is elected and shall maintain the registers, in forms No. XLIII, XLIV and XLV.

212. *Particulars to be furnished in report about birth.*—(a) Every report about the birth made shall contain the following particulars which shall be entered in the register maintained by the Panchayat.

1. Serial No.
2. Place, date and time of birth.
3. Sex.
4. Name of the child, if any.
5. Name of the father and grand father.
6. Description of father's occupation, caste or religion and place of residence.
7. Name and address of person reporting birth and place of residence.
8. Signature or thumb impression of person reporting.
9. Remarks.

(b) In the case of a illegitimate child, the name, residence and caste of the mother shall be entered.

(c) If the name of the child is not known when the report is made, the person reporting the birth or if he is dead, the father of the child, or if the father is dead or the child is illegitimate, the mother of the child, or and if both the father and mother of the child are dead, the person in whose keeping the child is, shall, within one month of the birth report the name of the child to the Registration Officer.

213. *Particulars to be furnished in a report about deaths.*—Every report of the occurrence of a death required to be made under these rules shall contain the following particulars which shall be entered in a register to be kept for the purpose by the Panch.

1. S. No.
2. Date of death.
3. Name, race, religion and occupation of the father, or if the deceased was a married woman of the husband of the deceased.
4. Sex of the deceased.
5. Age of the deceased on the day of death.
6. Description of the occupation, caste or religion and place of residence of the deceased.
7. Cause of death.
8. Name [and address] of person making report and the date of his report.

9. Signature or thumb impression of the person making report.

10 Remark.

214. *Attestation by the person reporting.*—Any person reporting a birth or death, if he so desires; may attest by his signatures or thumb impression the entry relating to such birth or death made in the register by the Panch.

215. *Report of a birth or death.*—Every report of a birth or death required by these rules may be made verbally or in writing.

216. *Report of birth by institutions.*—The officer-in-charge of a Jail, Lock-up, work-house; lunatic asylum, Government or Municipal Hospital, Dispensary, Maternity Home, College, or School or any other Government or local institutions shall report in writing to the Sarpanch of the Panchayat and the Panch concerned the occurrence of any birth or death within the institution of which he is incharge, not later than [seven] days from the date of such occurrence.

217. *Reports of deaths by institutions.*—Every person in-charge of a private hospital, orphanage Sarai, Dharamshala, Hotel, Lodging house or such other institutions, shall report writing to the Sarpanch and the Panch of the area the occurrence of any birth or death within the institution of which he is incharge not later than [seven] days from the date of such birth and in the case of death, within [three days] of such occurrence.

218. *Report about birth or death in other cases.*—In the case of a birth not governed by rules 216 and 217, a report of its occurrence shall be made within [seven] days to the Panch of the area by the Head of the household in which such birth or death has occurred or by an adult member or servant.

219. *Midwife or Dai to report of births.*—In the case of a birth, the midwife or dai attending at such birth shall within [seven] days report the occurrence of such birth to the Panch of the area.

220. *Medical practitioners to report deaths.*—Every medical practitioner who has been in attendance during the last illness of any person dying within Panchayat limits shall report in writing the death of such person within four days of the date of death to the Sarpanch and the Panch concerned;

Provided that where such person has died of any infectious disease the medical practitioner shall report in writing such death immediately.

221. *Customary sweepers to report deaths.*—Every customary sweeper who works within the premises and every Panchayat sweeper who sweeps the lane in front of such premises shall report the occurrence of every birth or death in such premises to the panch of the area concerned:

Provided that no such report need be made by any sweeper working in any Government or local institutions.

222. *Report about an exposed new born child.*—Every person finding a living new born child, exposed, and every person in whose charge such a child may be placed, shall within twelve hours of the finding of such child, report the fact to the Sarpanch and Panch of the area and shall at the same time to the best of his ability furnish the particulars specified in Rule 212.

223. *Report about an exposed dead body.*—If a dead body is found exposed, the Officer-in-charge of the police station within whose jurisdiction such body is found shall, within three days of the finding of such body, report the fact to the Sarpanch and Panch concerned, and shall at the same time to the best of his ability furnish the particulars specified in rule 213.

224. *Copy of entry in register.*—Every Person reporting a birth or death under these rules may be, if required, given free of charge a copy of the entry made in the register in respect of such birth or death.

225. *Registers of births, deaths and marriages not to be destroyed.*—No person shall wilfully destroy or injure or cause to be destroyed or injured any register of births, deaths and marriages or shall wilfully insert or cause to be inserted in such register any false entry with regard to any birth or death or marriage and no Sarpanch and Panch shall, without reasonable cause refuse or omit to enter in a register of births or deaths marriages any birth or death or marriage which has been duly reported to him.

226. *Clerical error to be corrected in red ink*—Any clerical error which at any time be discovered in any register of births, deaths may be corrected in red ink, by the Sarpanch and signed by him.

227. *Correction of fact or substance in registers of births and deaths.*—Any error of fact or substance in any register of birth or death may be corrected, in red ink, by the Sarpanch if any application is made for a correction in birth or death register. The Sarpanch making such correction shall first satisfy himself that the correction made bear the full signature of the correcting officer and record of reasons for such change is kept.

228. *Duty to report marriages.*—The father or if he be dead, the mother or any other guardian of the party to a marriage who has not completed 18 years of age before the date of marriage or one who performs such marriage shall report in writing signed by him to the Sarpanch the fact of such marriage.

229. *Infringement of rules*—Any person who commits a breach of any of these rules shall on conviction, be punishable with fine which may extend to fifteen rupees

230. *Compilation of information.*—The Panch or Sarpanch shall send reports about births and deaths to the Panchayat Samiti having jurisdiction once a month by enclosing true copy of the entries made in the registers of births and deaths, the Panchayat Samiti, having jurisdiction after compiling the figures of the master shall forward the same to District Statistical Officer who shall forward the tables to the Director of Economics and Statistics and Director of Medical & Health Services.

## CHAPTER XI.

### Registers & Records.

231. *Maintenance of registers by Panchayats.*—A Panchayat shall keep and maintain such registers, books and records as are provided for in these Rules.

232. *Maintenance of registers etc. by Nyaya Panchayats.*—(1) A Nyaya Panchayat shall keep and maintain such registers and books as are provided for in these Rules.

(2) The officer incharge of Panchayats or the District Judge having jurisdiction may direct a Nyaya Panchayat to keep and maintain any other registers and books.

233. *Form of registers and books.*—All registers and books shall be kept in the Forms provided in these rules or where no Form has been provided, in any form suitably designed.

234. *Maintenance of records by Nyaya Panchayats.*—For every suit or case heard and disposed of by a Nyaya Panchayat a separate record shall be prepared and kept in accordance, as far as may be, with the rules of the High Court for the preparation and maintenance of judicial records of civil and criminal cases.

235. *Use of printed Forms.*—(1) All Forms provided for in these Rules or otherwise required to be used by Panchayats and Nyaya Panchayats in the transaction of their business under the Act and these Rules may be got printed locally.

236. *Custody of registers and records.*—All registers, books and records of a Panchayat shall be deposited in the Panchayat office and of a Nyaya Panchayat in the Nyaya Panchayat office within three months after they have been closed and shall remain there in the custody of the Secretary of the Panchayat or of any other official of the Panchayat specified in this behalf by the Panchayat Samiti or the Nyaya lipik or any other official of the Nyaya Panchayat specified in this behalf by the Nyaya Panchayat.

237. *Preservant of registers etc.*—Subject to the provisions contained in rule 238, all registers, books and records kept and maintained by a Panchayat or a Nyaya Panchayat shall be Preserved Permanently.

238. *Destruction of registers etc.*—(1) The following registers, book and papers of a Panchayat shall be destroyed after the expi-

ration of the periods specified opposite them such periods to be reckoned as from the date of their closure or final disposal:—

- |  |      |      |  |
|--|------|------|--|
| (i) Counterfoil Receipts Books   | .... | .... | Three years.                                       |
| (ii) Registers showing demand and collection of taxes and other dues                         | .... | .... | Five years.  |
| (iii) Register of correspondence   | .... | .... | Three years  |
| (iv) Inspection Book   | .... | .... | Three years  |
| (v) Annual Report on the working of Panchayats   | .... | .... | Five years.  |
| (vi) Applications for copies of records  | .... | .... | One year.  |
| (vii) Application for inspection of records  | .... | .... | One year.  |
| (viii) Forms of oath taken by the Sarpanch and Panchas and other papers relating to election | .... | .... | Four years.  |
| (ix) Audit Report  | .... | .... | Fifteen years.                                     |
| (x) Report regarding embezzlement  | .... | .... | Fifteen years.                                     |
| (xi) Service Book and Character Rolls  | .... | .... | Two year after retirement of the person concerned. |
| (xii) Annual estimates of receipts and expenditure   | .... | .... | Three years.                                       |
| (xiii) Voucher and Bills   | .... | .... | Three years.                                       |
| (xiv) Security Bonds   | .... | .... | One year after they cease to have effect.          |
| (xv) Other miscellaneous papers  | .... | .... | Three years.                                       |

(2) The following registers, books and papers of a Nyaya Panchayat shall be destroyed after the expiration of the periods specified opposite them such periods to be reckoned as from the date of their closure or final disposals:—

- |  |      |      |              |
|--|------|------|--------------|
| (i) Register of processes                                      | .... | .... | Two years.   |
| (ii) Fine Register   | .... | .... | Two years.   |
| (iii) Inspection book  | .... | .... | Two years.   |
| (iv) Returns of criminal and civil cases                       | .... | .... | Two years.   |
| (v) Applications for copies of records                         | .... | .... | One year     |
| (vi) Applications for inspection of records                    | .... | .... | One year.    |
| (vii) Forms of oath by chairman and members of Nyaya Panchayat | .... | .... | Six years.   |
| (viii) Reports regarding delay in disposal of cases and suits  | .... | .... | Two years.   |
| (ix) Bills and vouchers  | .... | .... | Three years. |



- |   |       |      |      |   |
|---|-------|------|------|---|
| (x) Security Bonds                              | ....  | .... | .... | One year after they cease to have effect. |
| (xi) Stock Book                                 | ..... | .... | .... | Five years.                               |
| (xii) Annual estimate of income and expenditure |       |      |      | Three years.                              |
| (xiii) Other miscellaneous papers               |       |      | .... | Three years.                              |

239. *Judicial Records.*—The preservation and destruction of the judicial records of a Nyaya Panchayat shall be governed and regulated by the rules of the High Court relating to the preservation and destruction of judicial records of the courts subordinate to the High Court.

## CHAPTER XII

### Inspection of Records and Grant of Copies

240. *Application for inspection.*—(1) Any person desiring to inspect a register, book or record of a Panchayat or a Nyaya Panchayat—shall submit an application in writing, specifying the entries or papers, as the case may be to be inspected and shall pay in advance a fee of twenty-five naye paise for the search of the register, book or record and a fee of one rupee for the inspection.

(2) If the application be for the urgent inspection of the register, book or record, double the fee specified in sub-rule (1) shall be paid.

241. *Search for record etc. and order for inspection.*—Upon receipt of the application under rule 240 and payment of fees provided for therein the Sarpanch of the Panchayat or the Chairman of the Nyaya Panchayat as the case may be shall cause the relevant register, book or record to be searched and put up before him, shall examine the entries or papers sought to be inspected and shall make an order allowing inspection of the same if he does not consider the same to be objectionable or contrary to public interest or if such inspection is not prohibited.

242. *Application for copies.*—(1) A person desiring to obtain copies of, or extracts from any proceedings, or any entries in the registers or books, or any documents on the records, of a Panchayat or a Nyaya Panchayat shall submit an application to the Sarpanch of the Panchayat or the Chairman of the Nyaya Panchayat, as the case may be specifying as accurately as possible the relevant proceedings, entries and documents and shall along with such application, pay a search fee of twenty five naye paise.

(2) The provisions of rule 241 shall apply *mutatis mutandis*.

243. *Inspection or copies of or extracts from correspondence not to be allowed.*—The inspection of correspondence between a Panchayat or a Nyaya Panchayat and the officers of the State

Government and the issue of copies of or extracts from such correspondence are strictly prohibited.

244. *Procedure if register etc. not found.*—(1) If upon search the register, book or record is not found, the search fee shall not be refunded, but the applicant shall be furnished, within a week from the date of the receipt of his application, with a certificate stating that the register, book or record of which inspection was applied for or from which the required copy was sought has not been found.

(2) In the case of an application for inspection under rule 240, the fee for inspection shall be refunded.

245. *Inspection.*—(1) If an inspection is allowed under rule 241, such inspection shall be made during office hours and in the presence of a Panch or a member of the Nyaya Panchayat, as the case may be:

Provided no such inspection shall be made for more than one hour and, if it is desired to last longer, an extra fee at the rate mentioned in sub-rule (1) of rule 240 shall be charged for each extra hour or part thereof.

(2) Pen, ink, fountain pen and the like shall not be used during inspection but notes may be taken in pencil, and the person inspecting the record shall not make, break up or deface the record.

246. *Copying fees.*—(1) If, upon search under rule 242, the relevant register, book or record is found and it is decided to grant copies or extracts from the same, the applicant shall deposit a copying fee at the rate of twenty five naye paise for every 200 words or part thereof, and for the purpose of calculating the amount of such fee in cases, where figures have to be copied, five figures shall be taken as being equivalent to one word.

(2) For obtaining copies urgently, the copying fee shall be twice the amount specified in sub-rule (1).

247. *Preparation and issue of copies.*—On receipt of the copying fee, the copies or extracts shall be got prepared and shall be certified as true by the Sarpanch of the Panchayat or the chairman of the Nyaya Panchayat, as the case may be, after scrutiny and furnished to the applicant if he appears in person to receive the same or sent to him by post if the applicant has deposited the necessary postage stamps for the purpose.

248. *Time within which copies may be issued.*—All copies, decided to be granted, shall ordinarily be furnished to the applicant within four days from the date of deposit of the copying fee by him:

Provided that in case the applicant desires to obtain the copies or extracts urgently and has deposited the requisite fee, the same shall be furnished within 24 hours.

249. *Grounds for rejection.*—Where an inspection/ or the grant of a copy is disallowed, the application therefor shall be rejected.

by an endorsement thereon stating briefly the reasons therefor and the applicant shall be informed of the same.

250. *Registers of applications for inspection & grant of copies.*—Registers shall be maintained in every Panchayat Office and Nyaya Panchayat Office

(i) in Form XLVI, for all applications for inspection, and

(ii) in Form XLVII, for all applications for copies.

### CHAPTER XIII.

#### Immovable Properties And Contracts

##### (1) Maintenance of immovable properties.

251. *Register of immovable properties.*—The Panchayat shall maintain in register a Form XLVIII of all buildings and other movable properties vested in it or placed at its disposal.

252. *Maintenance of properties.*—The Panchayat shall keep all the properties referred to in rule 251 in proper condition and shall arrange for their repair or white-washing and when the same is considered necessary.

253. *Inspection of properties.*—The Panchayat Extension Officer shall examine the register and inspect the properties entered herein at least once a year and certify as to whether the record is correct and the properties are in good condition.

254. *Resumption.*—Any such property as is entered in the register maintained under rule 251, which may have been vested in or placed at the disposal of, the Panchayat by the State Government, shall be liable to be resumed if the Panchayat does not manage the same properly or if it is used or managed in contravention of the conditions subject to which, or in opposition to the purposes for which, it has been so vested or placed at its disposal or in contravention of the directions of the State Government or of any officer authorised by it in this behalf.

##### (2) Sale of abadi lands.

255. *Abadi land defined.*—The expression "abadi land means nazul land lying within the inhabited areas of a Panchayat circle which vests or has been vested in, or has been placed at the disposal of, a Panchayat by or under an order of the State Government.

256. *Application for purchase.*—A person desirous of purchasing any abadi land from the Panchayat shall make an application in writing to the Panchayat, giving such description thereof as may be sufficient to identify the land proposed to be purchased.

(2) The applicant shall, alongwith his application, deposit a sum of two rupees with the Panchayat towards the expenses of the preparation of the plan of the land sought to be purchased.

257. *Preparation of plan.*—(1) Upon receipt of an application under rule 256, the Panchayat shall get it entered in a register in Form XLIX and shall have a file of the case opened.

(2) Thereafter a plan of the land in question shall be got prepared by a competent person, who shall be paid his remuneration for the work out of the deposit referred to in sub-rule (2) of rule 256.

(3) The balance of the said deposit remaining unpaid shall be returned to the applicant.

(4) If there is any deficiency, it shall be made good by the applicant, failing which the application shall be rejected.

(5) A plan prepared under this rule shall describe the boundaries of the land to be sold which shall be shown in red ink, shall bear the signatures of the applicant and of the person who prepared it, shall give two measurement of the land to be sold and shall specify the scale on which the plan has been prepared.

258. *Inspection.* (1) After the plan is ready, the Panchayat shall by resolution nominate any three of its Panchas for holding a local inspection of the site.

(2) The Panchas nominated under sub-rule (1) shall submit their opinion to the Panchayat as to the desirability of the sale applied for, after taking into consideration the following matters, namely:—

- (a) whether the sale applied for will affect the facilities for going and coming enjoyed by the villagers;
- (b) whether such sale will affect the rights of easements owned by other persons;
- (c) whether such sale will affect the beauty and cleanliness of the locality;
- (d) such other matters as may appear to be relevant.

252. *Provisional decision.*—(1) The Panchayat shall then provisionally decide at a meeting whether the proposed sale should or should not be made.

(2) If it decides not to make the sale, the application shall be rejected, the fact of such rejection shall be duly communicated to the applicant and he shall not be entitled to claim refund of the amount spent by way of remuneration for the preparation of the plan in accordance with rule 257.

260. *Issue and publication of notice.*—(1) If the Panchayat provisionally decides that the sale should be made, it shall publish a notice in Form I, inviting objections to the proposed sale within one month from the date of such publication in the manner laid down in sub-rule (2).

(2) The notice referred to in sub rule (1) shall be prepared in duplicate and one copy thereof shall be affixed to a conspicuous place on the land proposed to be sold, the other copy being returned to the Panchayat office after obtaining the signatures of atleast two respectable persons of the locality thereon, in token of such affixation.

261. *Disposal of objections.*—The objections, if any, received in response to the notice issued under rule 260 shall be disposed of by the Panchayat after giving the parties concerned a reasonable opportunity of being heard.

262. *Auction of land*—(1) If no objection is received under rule 260 within one month, or if all the objections so reserved have been dismissed under rule 261, the Panchayat shall by resolution order the auction of the land proposed to be sold on a date, not earlier than one month from the date of the resolution and at the time and place to be specified.

(2) Thereupon a notice of such auction and of the date, time and place specified under sub-rule (1) shall be proclaimed in the manner provided in sub-rule (2) of rule 133 and the provisions of sub-rules (3) and (5) of that rule shall apply *mutatis mutandis*.

263. *Payment and resale upon failure.*—(1) The person who made the last and highest bid shall deposit ten per cent of the amount of the bid immediately on the spot and the balance within two months from the date of the auction.

(2) Failing payment as provided in sub-rule (1), the land shall forthwith be resold:

Provided that a resale on failure to pay the balance of the amount of the bid shall be held after a fresh notice has been issued as provided in sub-rule (2) of rule 262 and the ten per cent thereof deposited at the time of the original sale shall not be refunded:

Provided further that any deficiency in the price fetched at such resale shall be payable by the person who failed to make the payment as aforesaid and shall be recoverable from him as Panchayat dues.

264. *Procedure at auctions*—(1) All auctions under rule 262 shall be held by or under the supervision of the Sarpanch.

(2) Where the land to be sold is situated at the headquarters of the Panchayat or of the Nyaya Panchayat, the auction shall be held for at least two consecutive days, but at other places it may be held for one day only.

265. *Confirmation of auction held.*—(1) The acceptance of the high bid shall be subject to confirmation by the Panchayat and the authority prescribed under sub-rule (3).

(2) The decision whether the acceptance of the bid should be confirmed or not shall be taken by the Panchayat at a meeting to be held not later than fifteen days from the date of auction.

(3) Where the bid of the land auctioned exceeds two hundred rupees in amount, the Panchayat shall address, for the approval of the Proposed sale at the price equal to the amount of the highest bid,

- (i) the Panchayat Samiti having jurisdiction, if such amount does not exceed Rs. 1,000;
  - (ii) the Collector, if such amount exceeds Rs. 1,000 but does not exceed Rs. 2,000; and
  - (iii) the State Government, if such amount exceeds Rs. 2,000;
- (4) The Panchayat or any authority or officer specified in sub-rule (3) may refuse to confirm a bid if in its or his opinion the full value of the land to be sold has not been made, and in such cases the amount of ten percent of the bid deposited by the highest bidder shall be returned to him without interest.

266. *Transfer of abadi land by private negotiation.*—(1) The Panchayat may transfer any abadi land by way of sale by private negotiation in the following cases:—

- (a) where any person has a plausible claim of title to the land and an auction may not fetch reasonable price;
- (b) where for reasons to be recorded in writing the Panchayat thinks that an auction would not be a convenient mode of disposal of the land; and
- (c) where such course is regarded by the Panchayat necessary for the advancement of schedule castes and scheduled tribes or other backward classes.

(2) The Panchayat may, by resolution, transfer by way of sale without charging any price therefor, any abadi land of which the probable value does not exceed Rs. 200 in favour of any institution for a public purpose

267. *Allotment of lands free of charge.*—(1) In relation to allotment of lands within the Panchayat circle free of charge for residential houses under section 31 of the Rajasthan Tenancy Act, 1955, the provisions of rules 8 to 17 of the Rajasthan Tenancy (Government) Rules, 1955 shall apply *mutatis mutandis*.

(2) The Panchayat may also allot abadi lands free of charge to members of the scheduled castes and scheduled tribes and of other backward classes.

268. *Transfer and allotment subject to approval.*—All transfer under rule 266 and all allotments under rules 267 shall be subject to confirmation as provided in rule 265.

269. *Exclusion of certain categories of abadi land from the power of sale.*—(1) If the ownership of any abadi land is in dispute, such land shall not be sold by a Panchayat and the proceedings for the sale thereof shall be stayed as soon as it is brought to the notice of the Panchayat that such a dispute exists till a decision by a competent court on such dispute.

(2) No abadi land situated within one hundred feet of a railway line shall be sold by the panchayat.

(3) The sale or allotment of agricultural lands, forest lands and unculturable waste lands within the Panchayat circle, not being abadi lands, shall be governed by rules made under the Rajasthan Tenancy Act, 1955 or the Rajasthan Land Revenue Act, 1956.

(4) Any abadi land required by the State Government shall be given by the Panchayat without any cost.

(5) The State Government may by notification in the official Gazette withdraw the powers of sale of abadi land from any Panchayat if it considers expedient so to do in the public interest.

270. *Appeal*.—An appeal shall lie—

(a) from an original order of the Panchayat confirming the sale of abadi land under rule 265, to the Panchayat Samiti,

(b) from such order of the Panchayat Samiti, to the Collector, and

(c) from such order of the Collector to the [Revenue Appellate Authority having jurisdiction] and may be brought within thirty days from the date of the order appealed from, exclusive of the time requisite for obtaining a copy thereof.

271. *Sale deed*.—(1) After payment has been made as provided in rule 263, the sale has been confirmed as provided in rule 265 and an appeal, if any, under rule 270 has been disposed of or, if no appeal has been preferred, the time limit prescribed therefor has expired, a deed in the form set out in Schedule IV evidencing the sale of the abadi land auctioned shall be executed on behalf of the Panchayat in the manner provided in rule 278.

(2) A record of all such deeds shall be kept by the Panchayat in the Patta Bahi maintained by the Panchayat in the form set out in Schedule V.

272. *Revision*.—(1) The State Government or any officer or authority to whom the powers of the State Government under section 27-A may have been delegated by notification under section 70, on its or his own motion or on an application made in this behalf, may for the purpose of satisfying itself or himself as to the correctness, legality or propriety of any order passed by the Panchayat or the Panchayat Samiti or the Collector or [the Revenue Appellate Authority] under rule 265 or on appeal under rule 270, call for the connected records and may, in doing so, direct that, pending the examination of the records, such order shall be held in abeyance:

Provided that the power conferred by this sub-rule shall not be exercised while an order under rule 265 has been appealed from under rule 270 and such appeal is pending.

(2) After examining the records, the State Government or such officer or authority, as the case may be, may reverse, alter or modify the order of Panchayat, Panchayat Samiti, Collector or [the Revenue Appellate Authority].

273. *Utilisation of income from sale of certain abadi lands.*—

(1) Where abadi land, formerly in the possession of the Revenue Department of the State Government and transferred to the Panchayat under order No. F. 1 (d) (36) LSG/54, dated the 18th February, 1955 of the State Government or under any other provision of any Act or rule, is sold, the income derived therefrom shall be utilised only in public works such as improvement of roads, bunds and wells and improvement or creation of permanent community assets but shall not be used for the day to day expenditure incurred out of such income shall also be maintained by the Panchayat.

(3) *Alienation of other immovable properties.*

274. *No transfer in contravention of conditions.*—Immovable property vesting in a Panchayat shall not be transferred or subjected to a charge in contravention of the conditions subject to which such property was vested in the Panchayat.

275. *No transfer without Collector's sanction.*—A Panchayat shall not, without the previous sanction of the Collector, transfer, except by way of lease, any immovable property vesting in it, or create any charge thereon if the value of such property exceeds Rs. 1 000/-.

276. *Lease of panchayat property.*—(1) A Panchayat may lease any immovable property vesting in it for a period not exceeding three years.

(2) No lease of any such property shall be permitted to put up any permanent building or structure of masonry or bricks, without the permission of the Panchayat Samiti having jurisdiction.

277. *Rules 274 to 276 inapplicable to transfer of abadi land.*—Nothing contained in rules 274 to 276 shall apply to sales or allotments of abadi land.

(4) *Contracts and deeds.*

278. *Contracts by and execution of deeds on behalf of Panchayats.*—(1) All contracts made by a Panchayat or on its behalf shall be expressed to be made in the name of such Panchayat.

(2) All such contracts and all deeds and assurances of property shall be executed on behalf of the Panchayat, by the Sarpanch or, in his absence, by the Up-sarpanch and by any one of the Panchas thereof authorised in this behalf by a resolution of the Panchayat.

(5) *Purchases by Panchayats.*

279. *Purchases to be made by tenders.*—(1) All purchases for a Panchayat shall be made by inviting tenders:

Provided that, in respect of supplies of materials, goods or services other than those for execution of works, the Panchayat may, upto a limit of twenty-five rupees in each case, dispense with the procedure of inviting tenders.



(2) The Panchayat Samiti or the standing committee thereof may for sufficient reasons to be recorded in writing permit the Panchayat to dispense with tenders in any particular case or condone the non-observance of any of the provisions contained in the Rules.

280. *Notice inviting tenders.*—Tenders (which shall be in sealed covers) shall be invited by the Sarpanch in the most open and public manner possible, that is to say,—

(a) in all cases by a notice in Hindi pasted at the office of the Panchayat and such other places as the Sarpanch may deem fit and by sending copies thereof to reputed firms and dealers, and

(b) where the anticipated cost exceeds Rs. 500/- also by advertisement in at least one newspaper circulating in the District.

281. *Contents of notice.* Every notice and advertisement published under rule 280 shall specify *inter alia*:—

(a) the precise form under which the tender shall be made, stating whether prices for the various articles are to be quoted and whether the comparative value of the tender will be examined with reference to each article mentioned in the Schedule of quantities or for all such articles conjointly or for groups of such articles;

(b) the conditions under which, the authority from whom, and the price, if any, for which, a copy of the Schedule of quantities of the various kinds of articles can be obtained if these cannot be mentioned in detail in the notice and advertisement itself;

(c) when and where the tenders are to be submitted, a period for the same, which shall be at least eight days from the date of publication of the notice at the office of the Panchayat or, in cases falling under clause (b) of rule 280 of the first advertisement in a newspaper;

(d) the date and time at which the tenders will be opened;

(e) the amount of earnest money which should accompany the tender and the amount and nature of the security, which will be required in case the tender is accepted;

(f) the authority competent to accept the tender;

(g) that the authority competent to accept the tender reserves the right to reject any or all of the tenders received, without assigning reasons therefor, and

(h) that a tenderer who withdraws his tender without valid reasons (to be decided by the authority competent to accept the tender) shall be liable to have his subsequent tenders summarily rejected.

282. *Opening of tenders*—(1) On, but not before the date and time specified in the notice, tenders shall be opened in the Panchayat Office by the Sarpanch in the presence of such of the tenderers or their representatives as may be present at that time.

after he has certified that all seals are intact and the Sarpanch shall endorse the date and time of opening on each tender and sign each tender.

(2) After having been opened all tenders unless they are rejected under rule 283, shall be tabulated and scrutinised by the Sarpanch and then placed before the Panchayat, with his recommendation, for decision.

283. *Rejection of tenders.*—Tenders which are received after the expiry of the last date and time or which do not fulfil the requirements of the notice under rule 281 or with which no earnest money has been deposited within due time or which are otherwise not in order shall ordinarily be rejected.

284. *Acceptance of tenders.*—(1) All tenders which upon being opened are found to be in order and are not rejected under rule 283 shall be placed for final decision before the Panchayat.

(2) Lowest tender shall ordinarily be accepted and, where it is considered necessary to reject the lowest tender, the reasons therefor shall be recorded in writing.

(3) Where a tender is in respect of more than one articles for example, stationery articles, the comparative prices can be considered either individually for each article or conjointly for all articles or for specified groups of articles, as long as the sum total of the tender accepted is the lowest; provided that the intention of the Panchayat to select the lowest tender in any of these ways is made clear in the tender notice.

(4) If the tender is considered conjointly for all articles or for groups of articles, the cost of the probable requirements in respect of all the articles or of all the articles in each group, as the case may be, shall be worked out with reference to the rates given in each tender and the lowest tender will be that according to which the total cost of the, probable requirements of all the articles proposed to be taken together works out to be the least.

(5) Where the capacity for supply and the integrity of the tenderer are not known, his tender need not necessarily be rejected; and such additional security as the Panchayat considers necessary shall, however, be taken from the tenderer, if the circumstances warrant such a course.

285. *Calling upon fresh tenders.*—If no tender is accepted and it is found necessary to purchase materials goods or stores, fresh tenders shall be invited according to the procedure laid down in the foregoing Rules.

286. *Co-operative societies.*—(1) Purchases should be made preferable from registered co-operative societies.

(2) Price preference, in making purchases from co-operative societies, may be allowed to the same extent as the State Government allow for its own purchases.

287. *Agreement.*—(1) When a tender is accepted, a deed of agreement in the Form set out in Schedule VI with such variations as the circumstances of the case may require, will be executed by the person whose tender is accepted.

(2) Such deed shall include a clear statement of the conditions under which the contract is given, and shall specify the penalty to which the tender shall be liable for breach of any of those conditions.

288. *Exemption from Rules.*—Nothing contained in rules 279 to 287 shall apply to the purchase of—

(a) controlled articles at controlled rates through a permit issued, on the orders of the State Government, by their agents,

(b) articles from any institution run by the State Government,

(c) any article which is permitted to be purchased and from other Government Departments by any general or special order of the State Government without inviting tenders or quotations.

## CHAPTER XIV.

### Budget, Accounts and Audit.

#### (1) General

289. *Budget defined.*—In this chapter, the term 'budget' means a statement of the estimates of receipts and expenditure of a Panchayat for any year.

#### (2) Budget.

290. *Preparation of budget.*—(1) The Sarpanch shall in each year frame or cause to be framed a budget in Form LI, showing the probable receipts and expenditure of the Panchayat including the Nyaya Panchayat having jurisdiction during each financial year and place it in the meeting of the Panchayat or circulate a copy to the members of the Panchayat so that they may have a reasonable opportunity of examining the same.

(2) An explanatory note on the budget with copies of the suggestions, if any, of the individual members (unless incorporated in the budget) shall be sent to the Panchayat Samiti alongwith the budget.

(3) The sums to be provided in the estimates of receipts and expenditure under a particular head of account must be such as can be reasonably expected to be received or expended during the year and must include the receipt or payment of the arrears during that year.

291. *Contents of budget.*—The budget among other things should contain adequate and suitable provisions for—

- (a) opening balance in its funds and estimated income of the Panchayat and the Nyaya Panchayat for the budget year;
- (b) expenditure proposed on the establishment (not exceeding 40% of the total receipts in a year) and discharge of their duties under the Act;
- (c) the due discharge of all liabilities in respect of loans contracted, if any, and for all other commitments;
- (d) contribution towards the expenditure of Nyaya Panchayat having jurisdiction; and
- (e) working balance not less than 20% of the estimated receipts of the year.

292. *Extent of contribution towards the expenditure of Nyaya Panchayat.*—(1) For the purpose of clause (d) of rule 291 every Nyaya Panchayat shall prepare or cause to be prepared every year a statement in Form XLII showing its probable receipts and expenditure during the financial year next following and shall send copies thereof on or before 31st December to the following:—

- (a) one copy each to the Sarpanchs of all Panchayat circles included in the Nyaya circle, and
- (b) one copy to the Panchayat Samiti having jurisdiction alongwith as many spare copies of the same as there are Panchayat circles within the Nyaya circle.

(2) Each such Sarpanch shall communicate, within fifteen days of the receipt by him of the copy of the statement under sub-rule (1), his views thereon to the Panchayat Samiti.

(3) The Finance Standing Committee of the Panchayat Samiti shall consider the views of the Sarpanchas received under sub-rule (2) and shall pass by the end of January every year the statement submitted by the Nyaya Panchayat without any modification or with such modifications if any, as it thinks fit.

(4) The Nyaya Panchayat shall be informed of the same and a copy of the statement of income and expenditure of the Nyaya Panchayat as so passed shall be sent to each Panchayat functioning in the Nyaya circle with the direction to provide in the Panchayat budget a particular amount for contribution towards the expenditure of the Nyaya Panchayat.

(5) The amount of contribution referred to above, shall, in relation to the total amount of expenditure passed as aforesaid, bear the same proportion as unity bears to the number of people residing in each Panchayat circle functioning in the Nyaya circle.

293. *Programme to be adhered to in preparation of budget.*—The following programme shall be adhered to strictly in the preparation and scrutiny of the budget estimates:—

- (a) Last date by finalising the budget after it has been examined by the members of Panchayat ... .. 15th January.
- (b) Last date for submission to the Panchayat Samiti for sanction ... .. 20th January.
- (c) Last date for returning the budget estimates to the Panchayat duly sanctioned ... 20th March.

294. *Sanction of Budget.*—(1) The Panchayat Samiti shall sanction to budget with such modifications as if any, as it thinks fit, after satisfying on the following points, namely:—

(2) The Panchayat Samiti shall, before sanctioning the budget, ensure that:—

- (i) necessary provision has been made for the items mentioned in rule 291,
- (ii) the estimate of receipt and expenditure is cautious and provides for the collection of the loans, if any outstanding or falling due during the budget year,
- (iii) the income from sale of abadi land is not utilised on establishment charges;
- (iv) the recommendations, if any of the Government or of the Panchayat & Development Department have been duly considered in framing the budget,
- (v) provision has been made for all obligatory charges including institutions if any, transferred to it and other development activities, functions; etc. if any [specified] by the Government,
- (vi) variations between the figures of the budget year and those of the previous year have been adequately explained.

(3) The sanctioned budget shall be returned to the Panchayat on or before 20th March.

295. *Non-budgeted expenditure to be incurred with permission.*—(1) No Panchayat shall incur any item of expenditure not included in the sanctioned budget or in excess of the budget allotment without the prior permission of the Panchayat Samiti.

(2) Care shall be taken to see that budget limits are not exceeded.

296. *Transfer from one budget head to another.*—The amount provided under any head in the budget passed by the Panchayat Samiti may be transferred wholly or partly to any other head by the Panchayat or the Nyaya Panchayat, as the case may be, subject to the following conditions:—

(a) that due provision is ensured for services or liabilities which it is obligatory for the Panchayat to execute, maintain or pay for in accordance with the Act or rules made thereunder, and

(b) Sanction of the Panchayat Samiti is obtained if the amount to be transferred to another head exceeds Rs. 100/-.

297. *Additional expenditure.*—If, during the course of a financial year, a Panchayat finds it necessary to make a provision or additional provision under any head of account in the budget, a supplementary or revised budget may be framed and submitted to the Panchayat Samiti in the manner provided in the foregoing rules.

298. *Payment to nyaya panchayat.*—Within one month from the date of sanction of the budget by the Panchayat Samiti, the Panchayat shall pay in cash its share of the contribution to the Nyaya Panchayat for the whole of the year and obtain a receipt therefor.

### (3) Accounts.

299. *All cash transactions to be accounted for.*—(1) All cash transactions to which the Panchayat is a party shall, without any reservations, be brought to account.

(2) All amounts received in a Panchayat office otherwise than by way of withdrawal from the Panchayat fund or by way of charges for remuneration to be paid to persons for work shall be credited without delay to the Panchayat fund.

300. *Expenditure from panchayat fund.*—All sums required for expenditure by the Panchayat shall be drawn out of the Panchayat fund to the extent of amounts provided for in the sanctioned budget:

Provided that when the amount to be expended has to be met out of any amount deposited separately and not out of the Panchayat fund, no such drawal shall be necessary.

301. *Mode of deposit in and withdrawal from panchayat fund.*—(1) All deposits in the Panchayat fund under rule 299 shall be made by means of challans in Form LIII and withdrawals therefrom under rule 300 shall be made by means of bills in Form LIV.

(2) Sums specified in each case by the Panchayat Samiti to be kept separately with the Sarpanch and the chairman respectively by way of imprest money shall also be drawn from the Panchayat fund by means of a bill.

(3) A book in the nature of a pass book shall be kept and maintained in Form LV by every Panchayat and all deposits in and withdrawals from the Panchayat fund shall be recorded therein.

302. *Challans and bills to be signed by sarpanch.*—(1) All challans for deposits in and all bills for withdrawals from the Panchayat fund shall be signed by the Sarpanch.

(2) The treasury in which the fund is lodged shall, so far as the funds to the credit of the Panchayat admit, pay all bills against the fund which are so signed (Explanation:—The term 'treasury'

includes a sub-treasury, Post Office Savings Bank or any bank approved by the State Government.)

303. *Receipts and vouchers.*—(1) For every sum of money received otherwise than by way of withdrawal from the Panchayat fund, a receipt shall be given to the person making the payment in Form XI which shall be prepared and signed, so far as may be, in the manner laid down in rule 106.

(2) For all sums paid by the Panchayat otherwise than by way of credit to the Panchayat fund a voucher in form LVI shall be prepared, which shall be signed by the payee in token of the receipt of such and in case of such payment exceeding Rs. 20/- in amount, shall also be duly stamped and every such voucher book shall be written up in counterfoil books of 100 each serially numbered.

304. *Expenditure out of panchayat fund regulated.*—(1) The Sarpanch may himself sanction expenditure out of the Panchayat fund subject to a provision, therefor in the sanctioned budget and within the limits of such provision, to the extent of a sum of Rs. 25/- on any one item, at any one time, but for every such item of expenditure exceeding Rs. 25/-, the approval of the Panchayat by resolution shall, subject to the provision contained in sub-rule (2), be necessary.

(2) Every such item of expenditure in excess of Rs. 3000/- shall be placed before the Panchayat Samiti accompanied by a memorandum showing clearly the purpose of expenditure and a copy of the Panchayat Samiti shall, after scrutiny to the correctness of the demand and legality of the expenditure, and after ascertaining and satisfying itself as to whether funds to the credit of the Panchayat admit such expenditure, sanction the same.

305. *Responsibility of Sarpanch in relation to expenditure.*—The Sarpanch shall see that not only the total expenditure is kept within the provisions made in the sanctioned budget but also that the funds allotted are spent in the interest and service of the panchayat or the nyaya panchayat, as the case may be, upon objects for which provision has been made.

306. *Overpayments.*—The Sarpanch is responsible for making prompt recovery of any overpayment made out of the fund even through made in good faith, Recovery of such over payments may be waived only with the sanction of the Panchayat Samiti.

307. *Cash Book.*—(1) A cash book in Form LVII shall be kept and maintained in each Panchayat.

(i) all sums of money received by the panchayat, each entry to show the head under and on account of which the sum has been received and to mention the number and date of the relevant receipt or, in case the amount has been withdrawn from the Panchayat fund, to show the head

for and on account of which it has been withdrawn and to mention the number and date of the relevant bill, and

- (ii) all sums of money disbursed by the Panchayat, each entry to show the head for and on account of which the sum has been expended and to mention the number and date of the relevant voucher or, in case the amount has been deposited in the Panchayat Fund, to show the head under and on account of which it has been deposited and to mention the number and date of the relevant challan.

(2) The cash balance at the close of each day shall be shown in the cash book with red ink.

(3) The accounts of the Panchayat in the cash book shall be closed on the last day of every month under the following heads, namely:—

- (i) Opening balance at the commencement of the month;
- (ii) Receipts during the month;
- (iii) Total disbursements during the month;
- (iv) Balance at the close of the month;
- (v) If any difference be found to exist between such balance and the amount actually in hand, the reasons for the difference.

(4) The Sarpanch shall check on the last day of every month the closing balance as shown in the cash book, verify the same by counting the amount actually in hand and certify the same to be correct.

(5) The provisions of sub-rules (2), (3) and (4) shall also apply *mutatis mutandis* to the book kept and maintained under sub-rule (2) of rule 301.

308. *Ledger*.—(1) A ledger in Form LVIII shall be kept and maintained in each Panchayat office, for showing expenditure incurred by the Panchayat out of the Panchayat Fund.

(2) In the ledger, a page or some pages shall be allotted for each head of expenditure provided for in the sanctioned budget and it will be daily posted from entries in the cash book.

309. *Register of revenues*.—(1) A register of revenue receipts in Form LIX shall also be kept and maintained in each Panchayat office for recording receipts therein on account of all taxes, fees and other income.

(2) Separate page or pages according to the requirements shall be allotted for each head of income, tax or fee and postings shall be made therein daily from entries in the cash book.

310. *Stock Register*.—(1) A stock register in Form LX shall be kept and maintained by each Panchayat, in which shall be entered the receipt and issue of all stocks and other movable properties of the Panchayat.



(2) The account of the stores will be maintained for each item separately. Entries on the receipt side will be made directly from the bill of the supplier or, in case of contribution of material, from the counterfoil of receipt book. A receipt of all stores got as free contribution mentioning the value of such stores must be given to the party immediately they are tendered on the works. Issue should be made on regular indents which should be signed by the Sarpanch.

311. *Corrections and alterations in registers and records.*—An erasure or overwriting of an entry once made in the Cash Book or any other registers is strictly prohibited. Mistakes should be corrected by scoring the incorrect entry and writing the correct one in red ink over it and attested by the Sarpanch.

312. *Blank receipts etc. to remain with Sarpanch.*—The blank receipt books, the counterfoils of used receipt books, the cheque books and the bill books must be kept under lock and key in the personal custody of the Sarpanch.

313. *Physical verification of Stocks.*—Physical verification of stores and stocks will be carried out once a year by the Sarpanch and, in token of his having done so, he will record a certificate and make note of any salient facts regarding excess or shortage.

314. *Cases of defalcation and fraud.*—(1) Whenever any loss of money, revenue receipts, stamps, stores or other properties held by or on behalf of the Panchayat caused by defalcation or fraud is discovered, a report shall immediately be made to the Vikas Adhikari and the Collector and copies of the same shall be sent to the Examiner of Local Fund Accounts and the officer-in charge of Panchayats.

(2) The Collector shall immediately arrange for a detailed inquiry and a further complete departmental inquiry report shall be submitted to the officer-in-charge of Panchayats, of which a copy shall be endorsed to the Examiner of Local Fund Accounts who may either on his own accord or on the requisition of the Collector direct a special audit.

315. *Sales of movable properties.*—(1) All sales of movable properties of a Panchayat shall be affected by that Panchayat by public auction to be conducted by the Sarpanch who shall give full publicity thereof in the most suitable manner.

(2) All bids offered at the auction shall be placed by the Sarpanch before the Panchayat which shall determine, which one of them should be accepted.

(3) Where the bid accepted is not the lowest one, the reasons for such acceptance shall be recorded in writing.

(4) If the sanction of any officer or authority in respect of any such sale above is necessary under the Act or under any provision of these Rules, the Panchayat shall recommend the same for

sanction to such officer or authority and, until such sanction is received, the auction shall not be deemed to be complete.

(5) The articles sold shall not be allowed to be taken possession of by the bidder until he has paid the full amount payable by him.

316. *Monthly account*—(1) At an ordinary meeting of a Panchayat held under sub-section (2) of section 21 in the first fortnight of every month there shall be placed for its approval a monthly statement of account showing the monetary transactions of the Panchayat during the month immediately preceding the one in which the statement is so placed.

(2) Such monthly statement of account shall be prepared in Form LXI and shall show the receipts and expenses of the Panchayat during the month separately under each head.

317 *Adoption of monthly accounts*—At the meeting referred to in sub-rule (1) of rule 316. the Cash Book, the receipt books, the vouchers in support of all payments made, the pass book showing the amount to the credit of the Panchayat Fund or withdrawn therefrom and all relevant records shall be placed before the Panchayat alongwith the monthly statement of account and the Panchayat shall adopt the same by resolution after going through, where necessary, the records and registers placed before it.

(4) *Unserviceable articles and irrecoverable sums of money.*

318. *Writing off value of unserviceable articles.*—The Panchayat may, by a majority not less than three-fourths of its Panchas present and voting, write off the value of any articles of stores rendered unserviceable in normal working or use or otherwise:

Provided that, if the value of such articles exceeds one hundred Rupees, the sanction of the Collector shall have to be obtained through the Panchayat Samiti concerned for the proposed writing off.

319. *Writing off sums of money due to Panchayat.*—All losses of money, irrecoverable revenues, loans or advances may be written off subject to the provisions contained in rules 320 to 322.

320. *Report of irrecoverable amounts to Panchayat*—(1) Sums of money due to the Panchayat on any account whatsoever, found to be irrecoverable shall be reported to the Panchayat, together with the reasons therefor and the Sarpanch may, after inquiring into the genuineness of such reasons and satisfying himself that the persons from whom sums of money are due have no attachable property or have died heirless without leaving any property or have not been heard of for the last ten years and that all means of recovery have been tried but without success, recommend to the Panchayat that such sums may be written off as irrecoverable.

(2) A list of all such sums of money shall be prepared at the end of each quarter and shall be submitted to the Panchayat at its next meeting for taking into consideration the recommendation of the Sarpanch to write off the same.

321. *Sanction to write off.*—(1) If the Panchayat is satisfied as to the irrecoverability of any sums of money, the fact shall be recorded in a resolution to that effect and the Panchayat may write off any such irrecoverable sum not exceeding Rs. 100/- in any individual case.

(2) Where any such sum exceeds Rs. 100/- the panchayat shall report the matter to the panchayat samiti for according approval to the writing off proposed.

322. *When Collector to sanction writing off.*—In every case in which any irrecoverable sum of money in an individual case exceeds one thousand rupees, the panchayat samiti shall not accord its approval under sub-rule (2) of rule 321 to the proposed writing off unless and until the sanction thereto of the Collector has been obtained.

#### (5) Audit.

323. *Annual audit by Examiner of Local Fund Accounts.*—

(1) The accounts of a panchayat shall be audited annually by the Examiner of Local Fund Accounts, Rajasthan State.

(2) To every audit under this rule, in respect of matters not covered by or not inconsistent with section 67 of the Act, the provisions of the Rajasthan Local Fund Audit Act, 1954 (Rajasthan Act 28 of 1954) and the rules made thereunder shall apply, so far as may be, as if the accounts of the panchayats had been declared by the State Government to be subject to audit under that Act.

324. *Nyaya Panchayat Fund.*—(1) The provisions of the foregoing rules shall, so far as may be, apply to the fund of a nyaya panchayat.

(2) The income of a nyaya panchayat shall be distributed to each panchayat included within its jurisdiction in proportion to their population at the end of every quarter.

### CHAPTER XV

#### Supervision of Panchayats.

325. *Inspection by Panchayat Extension Officers.*—(1) Every Panchayat Extension Officer shall inspect all panchayats within his jurisdiction atleast twice a year and shall, during such inspection, devote his attention more particularly to the matters specified by the State Government in this behalf.

(2) A note of such inspection shall be recorded in writing and copies thereof shall be forwarded to the Panchayat samiti and the Collector who shall pass suitable orders thereon.

326. *Inspection by superior officers.*—The Collector himself may also inspect, or authorise any officer subordinate to him to inspect a panchayat.

327. *Inquiries into panchayat & nyaya panchayat affairs.*—

1) Whenever the institution of an inquiry under clause (e) of section 77 in respect of any matter relating to a panchayat or into the affairs of a nyaya panchayat other than those pertaining to the administration of civil and criminal justice is considered necessary by the State Government, the District Judge (in case of a nyaya Panchayat only) or the Collector or the officer-in-charge of panchayats, such inquiry may be ordered to be made by such Gazetted Officer, not being a Vikas Adhikari, as may be specified in the order.

(2) The inquiry referred to in sub-rule (1) shall be completed within a period of one month unless the period is extended under orders of a superior officer or authority.

328. *Inspection of, and inquiry into, nyaya panchayat affairs.*—(1) A magistrate of the first class having jurisdiction over a nyaya circle may occasionally inspect the nyaya panchayat thereof in relation to the administration of criminal justice by such nyaya panchayat.

(2) The Munsif having jurisdiction over a nyaya circle or, if there is no such Munsif, the Civil Judge having such jurisdiction, may occasionally inspect the nyaya panchayat of such nyaya circle in relation to the administration of civil justice by such nyaya panchayat.

(3) Such Munsif or Civil Judge, as the case may be, may, on his own motion or upon being required to do so by the State Government or by the District Judge having jurisdiction, institute and make, or cause to be instituted and made, an inquiry under clause (e) of section 77 into the affairs of the nyaya panchayat in respect of the matters pertaining to the administration of civil and criminal justice by such nyaya panchayat.

(4) An inquiry referred to in sub-rule (3) shall be completed within a month unless the period is extended under orders of the District Judge concerned.

5) A Magistrate, Munsif or Civil Judge, as the case may be, shall, in conducting an inspection under sub-rule (1) or sub rule (2), observe, as far as possible, the procedure laid down for the inspection of criminal and civil courts respectively and devote his attention particularly to the matters specified in that procedure.

329. *Powers of officers making inquiries.*—(1) An officer making an inquiry under rule 327 or rule 328 shall have the same powers as are exercisable under section 77 by the State Government or any officer authorised in that behalf and shall, in addition, have the power to summon any person residing within the district whose

evidence may appear to be necessary for the investigation of any matter under inquiry and also to require production of any document relevant thereto which may be in the possession or under the control of such person.

(2) Such summons shall be in writing in duplicate shall issued over the signature and seal of the officer by whom it is issued, shall require the person summoned to appear before the said officer at a stated time and place, shall specify whether his attendance is required for the purpose of giving evidence or to produce a particular document (to be described) or for both purposes and shall be served in the manner laid down in rule 143, and the provisions of rule 142 and rule 147 to 150 shall *mutatis mutandis* apply.

330. *Reports of inspection and inquiry into panchayat affairs.*—(1) The reports of inspection of panchayats under rule 325 or rule 326 and the reports of inquiries made under rule 327 shall be forwarded, through the Collector and the officer-in-charge of panchayats, to the State Government or any officer or authority duly empowered to take action against the panchayat.

(2) After perusal and consideration of every report received under sub-section (1) the State Government or the said officer or authority may pass such orders as may be considered necessary and proper in the circumstances of each case.

331. *Reports of inspection and inquiry into Nyaya Panchayat affairs.*—(1) A report of the inspection of a Nyaya Panchayat under sub-rule (1) of rule 328 shall be forwarded, through the District Magistrate concerned, to the State Government for information and necessary action.

(2) A report of the inspection of a nyaya panchayat under rule 327 or sub-rule (2) of rule 328 or of an inquiry into the affairs of a nyaya panchayat under sub-rule (3) of rule 328 shall be so forwarded through the District Judge concerned.

332. *Action by State Government.*—After perusing any report received under rule 331 and considering the same, the State Government may pass thereon such order as may be justified in the circumstances of each case:

Provided that before making any such order, the State Government may if it deem necessary consult the High Court in the matter.

## CHAPTER XVI

### Administration Report.

#### (1) Panchayat Administration.

333. *Preparation of annual administration report.*—The Sarpanch of every panchayat shall prepare or cause to be prepared, by the 20th day of April each year, a report on the administration of the panchayat during the financial year immediately preceding.

(2) Such report shall be prepared in the following two parts, namely—

- (a) the Report proper embodying the particulars in Form LXII, and
- (b) the annual accounts in Form LXIII and shall be accompanied by a note describing the important activities of the panchayat during the year.

334. *Adoption and submission of report.*—(1) The report prepared under rule 333 shall be placed, by the end of April every year, before the panchayat at its ordinary fortnightly meeting and it shall adopt the same by means of a resolution to that effect.

(2) The panchayat shall, not later than the 15 of May each year, submit one copy of the report so adopted to the panchayat samiti having jurisdiction and another copy to the Collector of the district.

335. *Consolidation of reports.*—The panchayat samiti shall, after examining Reports of all panchayat within its jurisdiction, prepare or cause to be prepared and send a consolidated report in respect thereof in the form of a narrative, together with its views thereon, to the collector of the district by the 15th June of the said year.

(2) The Collector shall, after examining the reports of all panchayats within the district, likewise prepare or cause to be prepared and send a consolidated report in respect of such panchayats, together with his views thereon, to the State Government by the 15th July of the said year.

336. *Publication of Report.*—The State Government may, after the receipt of consolidated reports from all Collectors, publish, for the information of the general public, such portions thereof or such extracts therefrom or such summary thereof as it may consider necessary.

## (2) Nyaya Panchayat Administration.

337. *Preparation and submission of annual administration reports.*—(1) The Chairman of every Nyaya Panchayat shall prepare or cause to be prepared, by the end of April, each year, a report on the administration of civil and criminal justice during the financial year immediately preceding.

(2) Such report shall be prepared in two parts,—

- (i) one pertaining to the administration of criminal justice, and
- (ii) the other pertaining to the administration of civil justice, and shall be modelled on the lines laid down for similar reports of criminal and civil courts respectively,

(3) The report pertaining to the administration of criminal justice shall be forwarded, by the 15th of May every year, to the Magistrate of first class having jurisdiction.

(4) The report pertaining to the administration of civil justice shall be forwarded to the Munsif having jurisdiction or, where there is no such Munsif, to the Civil Judge having jurisdiction.

338. *Consolidated reports.*—(1) The Magistrate of the first class to whom the report of a Nyaya Panchayat is forwarded under sub-rule (3) of rule 337 shall prepare or cause to be prepared in the form of a narrative a consolidated report pertaining to the administration of criminal justice by all Nyaya Panchayats within his jurisdiction and submit the same, alongwith his views thereon, to the State Government by the middle of June next following through the District Magistrate.

(2) The Munsif or the Civil Judge, as the case may be, shall similarly prepare or cause to be prepared in the form of a narrative a consolidated report pertaining to the administration of civil justice by all Nyaya Panchayats within his jurisdiction and submit the same, alongwith his views thereon, to the State Government by the middle of June next following through the District Judge concerned.

339. *Publication of Reports*—The State Government may after the receipt of reports in respect of the administration of Civil and criminal justice by all Nyaya Panchayat in the State, publish, for the information of the general public, such portions thereof or such extracts therefrom or such summary thereof as it may consider necessary.

## CHAPTER XVII

### Miscellaneous

(1) *Appointment of Counsel in suits and proceedings by or against Panchayats*

340. *Civil proceedings when the interests of both Panchayat and Government are involved.*—(1) When the State Government and a Panchayat are both parties in a civil proceeding and the interests of both in such proceedings are identical, a common counsel shall be engaged and he shall be paid only one set of fee, half by the State Government and half by the Panchayat.

(2) If any party engages an additional counsel, the fee of that counsel shall be paid by the party engaging him.

341. *Civil proceedings in which the interest of the Panchayat alone are involved.*—In a civil proceeding where the interests of the Panchayat alone are involved and the Panchayat engages a counsel, the fee payable to the counsel shall not exceed the fee prescribed by the rules for the time being in force under section 27 of the Legal Practitioners Act, 1879 (Central Act 18 of 1879) or any other law.

## (IA) Taking over and maintenance of Common Grazing Grounds.

341-A. *Grazing Grounds*.—(1) In case a common grazing ground in any village has not been placed at the disposal of any Panchayat, it shall send its proposal for the taking over or establishing a new grazing ground to the Tehsildar.

(2) On receipt of such proposal, the Tehsildar shall take action forthwith and intimate to the Panchayat, the decision taken on such proposal within a period of three months from the date of the receipt of the proposal from the Panchayat. If the sanction is not received by the Panchayat within three months of the submission of the proposal it may move the Vikas Adhikari of the Panchayat Samiti, who shall on receipt of such representation take steps for the sanction of the grazing ground.

(3) The income from the trees and other natural produce growing on common grazing grounds shall be credited to the Panchayat fund.

(4) A Panchayat may lease out such trees or natural produce by private contract or public auction and may also sell dried, decaying and fallen trees in the aforesaid manner subject to the law for the time being in force.

(5) Cowdung on common grazing grounds may also be sold out by a Panchayat by private contract or public auction.

(6) A Panchayat may charge such fees for the grazing of the cattle as it may by a resolution determine but the fees shall not exceed the rates specified below:—

(i) Buffalows, cows, camels, horses per annum,  
per cattle head Re. 1/-

(ii) Goats and other animals per annum, per  
cattle head Re. 0.25 nP.

(7) A Panchayat may extend the area of a grazing ground in case of increase in the number of cattle heads in which case sanction will be applied for as in the case of establishing a new grazing ground.

(8) the pasture lands shall not be utilised for any other purpose except for grazing cattle.

(9) Where any pasture land has been occupied unlawfully by any person or has been utilised for any other purpose, the Panchayat may make an application to the Tehsildar concerned under section 91 of the Rajasthan Land Revenue Act, 1956.

## (2) Transfer, inclusion and exclusion of areas.

342. *Preliminary examination on requests or proposals for action under section 86*.—(1) Upon receipt of a request under section 86, sub-section (1), the Collector will be required to examine the same and to send a report to the officer-in-charge of Panchayats.



(2) Whenever the State Government or such officer or authority to whom the powers of the State suit may have been delegated itself proposes to take action under section 86, sub-section (1), the Collector will be required to examine the proposal and to send a report to the officer in charge of Panchayat.

343. *Recommendation of officer-in-charge.*—On receiving the report of the Collector under rule 342, the officer-in-charge of Panchayats shall consider the same and submit his recommendations in the matter to the State Government or such officer or authority to whom the powers of the State Government may have been delegated.

344. *Issue and publication of notice.*—(1) If after considering the report of the Collector and the recommendations of the officer-in-charge of Panchayats the State Government or such officer or authority to whom the powers of the State Government have been delegated to make any transfer, inclusion or exclusion under sub-section (1) of section 86, it shall cause to be issued, as required by that sub-section, a notice inviting objections to the proposed transfer, inclusion or exclusion within a month from the date of the publication of the notice under sub-rule (2).

(2) A copy of the notice under sub-rule (1) shall be pasted at a conspicuous place in each of the areas affected thereby and at the office of each Panchayat and Panchayat Samiti concerned.

345. *Consideration of objections and final action.*—(1) After considering the objections, if any, received in response to the notice under rule 344, the State Government or such officer or authority to whom the powers of the State Government may have been delegated may either drop the proposal notified therein or may confirm or vary the same.

(2) If the proposal is not dropped, the State Government shall cause a final notification to be issued and published in the official Gazette and such publication shall be conclusive evidence of the transfer, inclusion or exclusion thereby made, unless the same is subsequently cancelled or superseded in like manner, as from a date specified in such notification.

346. *Non-applicability of rules 342 to 345 to action under section 86A.*—Nothing in rule 342 to 345 shall apply to any re-delimitation of panchayat circle order under section 86A.

#### (c) Framing of by-laws.

347. *Publication of draft by-laws.*—(1) Whenever it is proposed to make any by-law, or to modify any existing by-law, under section 90 or section 91, the draft of the proposed by-law or modification shall first be published for the information of all persons likely to be effected thereby, together with a notice specifying a date, which shall not be less than a month beyond the date of the publication of the draft under sub-rule (2), on or after which such

draft will be taken into consideration by the authority proposing to make the by-law or to modify the existing by-law.

(2) The draft and the notice under sub-rule (1) shall be published by affixing the same in at least two conspicuous places within the panchayat circle affected as well as at the office of the panchayat thereof.

348. *Disposal of objections and suggestions.*—The authority desiring to make the proposed by-law or modification shall consider all objections or suggestions in respect of the draft published under rule 347, if received before the date specified in the notice under that rule and may either drop the proposal or decide to make the proposed by-law or modification with or without any alterations.

349. *Further action in respect of proposals under section 90.*—If a Zila Parishad so decides to make under section 90 the proposed by-law or modification the same shall be notified in the official Gazette over the signature of the Secretary of the Zila Parishad.

350. *Further action in respect of proposals under section 91.*—(1) If the decision under rule 348 to make a by-law or to modify an existing by-law has been taken by a Panchayat in exercise of the power conferred on it by section 91, the proposed by-law or modification, together with the draft hereof and the notice published under rule 347 and all objections and suggestions in respect thereof received and disposed of under rule 348, shall be submitted by the Panchayat to the Zila Parishad concerned for approval and no such by-law or modification shall have effect unless it has been sanctioned by the Zila Parishad.

(2) The by-law or modification as sanctioned by the Zila Parishad under sub-rule (1) shall be notified in the official Gazette over the signature of the Sarpanch of the Panchayat and the notification shall mention the fact of the approval and sanction of the Zila Parishad thereto.

351. *Operation of by-law or modification.*—Every by-law or modification of a by-law notified under rule 349 or rule 350 shall come into operation upon the expiration of one month from the date of the notification.

352. *Saving.*—Nothing in rules 349 to 351 shall be deemed to authorise a Panchayat to modify any by-law made under section 90.

#### (4) Training

353. (1) Every member of a Nyaya Panchayat shall attend a course of training that day be arranged by the State Government.

(2) The syllabus for the training shall be as specified below:—  
Duration of the Course. Ten days.

Practical training in the court of Magistrate and

Munsif	....	....	....	....	....	Two days.
Practical training in office work	....	....	....	....	....	One day.
Sunday	....	....	....	....	....	One day.
Classes	....	....	....	....	....	Six days.

### DISTRIBUTION

(1) Rajasthan Panchayat Act, 1953 (Chapt IV), and rules made thereunder with particular reference to the provisions relating to the constitution and powers of Nyaya Panchayats, the procedure for institution and trial of cases and suits.

(2) Indian Penal Code, 1860 with particular reference to provisions contained in sections 149, 169, 172, 174, 175, 178, 179, 180, 188, 202, 228, 264, 265, 266, 267, 269, 277, 278, 279, 283, 285, 286, 288, 289, 290, 294, 323, 334, 336, 341, 352, 356, 357, 358, 374, 379, 380, 381, 403, 411, 426, 428, 439, 447, 440, 461, 504, 506, 509, 510, and Chapter XII and XVIII of the I.P.C. 1860.

(3) Code of Criminal Procedure, 1898—

(i) Procedure relating to summons trial.

(ii) Sections 119, 110, 200, 202, 488,

(4) Code of Civil Procedure, 1903.

(5) Cattle Tress Pass Act, 1871.

(6) Vaccination Act, 1880.

(7) Prevention of Cruelty to Animals Act, 1870.

(8) Rajasthan Public Gambling Ordinance, 1949.

(9) Rajasthan Primary Education Act.

(10) Rajasthan Prevention of Juvenile Smoking Act, 1950.

(3) (i) After the theoretical training in the aforesaid laws every member of the Nyaya Panchayat shall be deputed for practical training one day each in the Court of Munsif or Civil Judge and one day in the Court of a Magistrate.

(ii) The members of the Nyaya Panchayat shall particularly attend to the revisions which are disposed of by the Munsif or the Magistrate so as to be familiar with the procedure followed by such court.

(4) The State Government may, by a notification published in the official Gazette, add to or vary the syllabus prescribed under sub rule (2).

(5) Every member of the Nyaya panchayat attending a course of training under these rules shall be entitled to T.A and D.A in accordance with the rules on the subject.

### (5) Supersession

354. *Supersession.*—(1) All existing rules made under the Act and in force at the commencement of these Rules shall, upon such commencement, stand superseded as if such existing rules were a Rajasthan law and have been repealed by another Rajasthan law.

(2) Such supersession shall not however in any way affect anything previously done or action previously taken under or in pursuance of the existing rules so superseded.

By Order of the Governor

RAM SINGH

Dy. Secretary to the Government.

# FORM 1

( See Rule 7 )

T. A. and/or D. A. Bill of Shri....

Date	Rail/Bus fare	Journey by any other means of conveyance.	Daily Purpose allow.
		Mode of conveyance.	Distance. Amount.

Total amount of the Bill claimed ...

Certificates:—

- (a)
- (b)
- (c)
- (d)

Date .....

*Signature of the Claimant.*

Passed for Rs.... The amount is chargeable to

Date.....

*Signature of Sarpanch/Chairman*

Received Rs.....

*Signature of the Claimant.*

Entered in Cash Book at page No.....

*Secretary/Sarpanch/Chairman/Nyaya*

Date.....

*Lipik of Nyaya/Panchayat*

# FORM II

(See Rule 29).

Service Book.

- (a) Name....
- (2) Race....
- (3) Residence....
- (4) Father's name and residence.....
- (5) Date of birth as nearly as can be ascertained.....
- (6) Exact height by measurement .....
- (7) Personal marks for identification .....
- (8) Signature of Panchayat servant....
- (9) Signature and designation of the head of the office or other attesting officer....

*Note*:—The entries in this page should be renewed or re-attested atleast every five years and the signature in lines (8) and (9) should be dated.

- |  |      |      |
|--|------|------|
| 1. Name of appointment   | .... | .... |
| 2. Whether substantive or officiating<br>and whether pe manent or temporary  | .... | .... |
| 3. If officiating here state substantive<br>appts.   | .... | .... |
| 4. Pay in substantive appoint  | .... | .... |
| 5. Additional pay for officiating  | .... | .... |
| 6. Other emoluments failing under the<br>term pay  |      |      |
| 7. Date of Appts.  | .... | .... |
| 8. Signature of Panchayat servant  | .... | .... |
| 9. Signature and designation of the<br>Head of the office or other attes-<br>ting Officer in attestation of<br>columns 1 to 8. | .... | .... |
| 10. Date of termination of appointment   | .... | .... |
| 11. Reason of termination (such as pro-<br>motion, transfer, dismissal, etc.)  | .... | .... |
| 12. Signature of Head of the Office or<br>other Attesting Officer  | .... | .... |
| 13. Nature and duration of leave taken   | .... | .... |
| 14. Signature of Head of the Office or<br>other Attesting Officer  | .... | .... |
| 15. Reference to any recorded punish-<br>ment or censure or reward or<br>praise of the panchayat servant                       | .... | .... |

### FORM III

(See Rule 29)

#### Form of Character Roll.

- |                                    |      |      |      |
|------------------------------------|------|------|------|
| 1. Name ..                         | .... | .... | .... |
| 2. Father's name ..                | .... | .... | .... |
| 3. Caste ..                        | .... | .... | .... |
| 4. Place of residence ..           | .... | .... | .... |
| 5. Date of birth ..                | .... | .... | .... |
| 6. Office ...                      | .... | .... | .... |
| 7. Educational qualifications .... |      |      |      |

#### Statement of Service.

Name of Panchayat	Appointment.	pay.	Date.
-------------------	--------------	------	-------

*Note*:—Period of officiating service for less than three months should not be taken.

## FORM IV

(See Rule 48)

## Provident Fund Ledger

Account Provident Fund Transactions of the Panchayat/  
Nyaya Panchayat

Panchayat Samiti... Distt . ....

Month of ....19 .

By whom deposited.				Credit.	
Name of the depositor.	Official Designation.	Register No.	Date of receipt.	Opening balance.	Recovery of advance.
1	2	3	4	5	6
				Debits	
Deduction from salary.	Contribution by Panchayat/Nyaya Panchayat.	Interest added.	Total	on what account paid.	
7	8	9	10	Date of Payment.	
				11	
Amount paid.	Purpose for which paid.	Closing Balance.	Total amount bearing interest	Outstanding advance.	
12	13	14	15	16	

## FORM V

(See Rule 75)

## Catalogue of Book in Library.

...	...	Panchayat...	....	....	...Panchayat Samiti	
		District ...	....	....	... year ...	19 ...
S. No.	Date of receipt of	Source of receipt of	Name of book.	Name of author.	Cost.	Remarks.
1	2	3	4	5	6	7

## FORM VI

(See Rule 75)

## Catalogue of Newspapers.

Library Panchayat ..	....	....	... year...	....19 ..
Panchayat Samiti...	....	....	....	
District...	....	....	....	
S.No,	Description of newspapers	Daily,	Weekly, Fortnightly, Monthly.	Remarks
1	2	3		4

## FORM VII

(See Rule 75)

Register of Attendance of visitors and Readers in Library of Panchayat....	....	....Panchayat Samiti...	....	....
District ....	....	....Year....	....19 .	

S.No.	Name of readers and visitors.	Signature of readers or visitors.	Total	Remarks.
1	2	3	4	5

### FORM VIII

(See Rule 75)

Register for the issue and Receipt of Books in Library of

Panchayat ...	....	... /Panchayat Samiti....	....	....
District....	....	... Year....	19	....

S.No.	Date of issue of book.	Name, father's name & place of residence of the individual taking the book.	Name of book.	Cost.
1	2	3	4	5
	Signature of individual taking the book.	Date of return of book.	Signature of Librarian.	Remarks.
	6	7	8	9

### FORM IX

(See Rule 75)

Stock Register Library ... ..Panchayat....

S. No.	Name of article.	Place of purchase	Previous balance, on 1-4.	Receipt	Value of stock in hand.	Cost of articles purchased
1	2	3	4	5	6	7

Shortage.			Balance on 31-3-			Value of stock in hand.		Remarks
Total	Shortage.	Unfit for use.	Fit for use.	Unfit for use.	Total	Value of stock in hand.		
8	9	10	11	12	13	14	15	16

### FORM X

(See Rule 85)

Standing Committee.... ..Panchayat Samiti....  
District....

Returns showing the registration and disposal of appeal sin administrative cases during the period from... to ...

S. No.	No. of cases brought forward from the previous half year.	No. of cases received during the half year.	No. of cases Total.	No. of cases disposed of during the half year.	No. of cases pending at the end of the half year.
1	2	3	4	5	6

No. of cases in which appeal was accepted.	No. of cases in which appeal was rejected.	No. of cases remanded for re-hearing.	Remarks.
7	8	9	10
Place ... ..		Signature of the Pradhan Panchayat Samiti....	...
Date .. ...			

**FORM XI**  
(See Rule 106)

Panchayat ....  
Panchayat Samiti ... .. District ... ..  
S. No. ... Book No ... Receipt No ...  
Received from.... a sum of rupees....  
( ) as per details given below on account of

Bill **Amount Received.**  
No \_\_\_\_\_  
and Arrears. Current. Total.  
date.

1. Tax on buildings per year	....	_____
2. Vehicle Tax for the year	....	_____
3. Water tax for the year	....	_____
4. Tax on commercial crops	....	_____
5. Pilgrim tax	....	_____
6. Special Tax u/s	....	_____
7. Fee for grazing charges in C. Pound	....	_____
8. Fine due to Cattle Pound	....	_____
9. ....	....	_____
10. ... ..	....	_____

Notice Fee.  
Warrant fee.

11. Octroi duty. Quantity, number Description Rate of Amount of  
or value. of goods. octroi. octroi.

Dated.... Signature of Sarpanch/Secretary.

**FORM XII**  
(See Rule 114)

**Form of Licence**

Shri.... S/o....  
resident of....  
year....  
below within the Panchayat Circle for the aforesaid period.

Description

Sarpanch,  
Panchayat.



# FORM XIII

(See Rule 125)

## Bill (Notice) to pay Panchayat dues.

Village Panchayat ... .. Panchayat Samiti ... ..  
 District.... .. Dated the .. 19 ... ..  
 Case No.... .. Year.... 19....  
 To,

## PARTICULARS

.... ..  
 .... ..  
 In the above case a sum of Rs .. is due from you and  
 you are hereby informed that the outstanding amount be paid in  
 the Panchayat within.... .. days.

Given under my hand and seal this day the.... 19 ..

Signature of Sarpanch.

# FORM XIV

(See Rule 126)

## Form of demand of Panchayat dues.

Panchayat.... .. Panchayat Samiti ... ..  
 District.... .. dated the .. 19....  
 Case No..... .. year....19....

To,

## PARTICULARS

.... ..  
 .... ..  
 In the above case a sum of Rs.... .. is due from you and  
 inspite of .. .. days notice you did not deposit the out-  
 standing; hence you are hereby ordered to deposit the above amount  
 within ... .. days failing which your movable property  
 will be taken under custody and action for the realization of dues  
 will be taken.

Given under my hand and seal this day the.... 19....

Signature of Sarpanch.

# FORM XV

(See Rule 127)

## Warrant of attachment and sale.

Panchayat.... .. Panchayat Samiti ... ..  
 District ... ..  
 Case No ... .. year....19....

## DESCRIPTION

To,

In the above case a sum of Rs ... is due from Shri ...  
 S/o ... resident of ... and the same has not  
 been paid inspite of notice and demand form and the time limit of  
 15 days has also expired. In pursuance of rule No ... under  
 section 66 of the Rajasthan Panchayat Act 1953, you re hereby  
 authorised to take under attachment the movable property of .....  
 excluding the articles exempted by law and produce the same before  
 the Panchayat attach and sell the said movable property according  
 to law and deposit the sale proceeds in the Panchayat.

Given under my hand and seal this day the ... 19...

Signature of Sarpanch.

## FORM XVI

(See Rule 139)

Summons to a person against whom a Civil suits has been instituted  
 before the Nyaya Panchayat of.....

Serial No. of the suit....

Date of institution....

To,

son/daughter/wife/widow of ..  
 Caste.... Village....

Whereas... son/daughter/wife-widow of  
 Caste.... Village ... has instituted a suit

against you or..... You are hereby summoned to appear in  
 person or by a duly authorised agent before this Nyaya Panchayat  
 on the... day of 19....  
 to answer the suit; and you are directed to produce on that day all  
 the evidence whether documentary or oral on which you intend to  
 rely in support of your defence.

Take notice that if you do not appear as directed on the day  
 fixed, the suit may be heard and determined in your absence.

Dated this... day of... 19 ...

(Signature of the Chairman)

Nyaya Panchayat.....

## FORM XVII

(See Rule 139)

Summons to a person against whom a criminal complaint  
 has been made.

Serial No. of case....

Date of institution....

..... son/daughter/wife/widow of .....  
Caste:..... Village

WHEREAS your attendance is necessary to answer to a charge of.... under section...., of.... Act.... you are

hereby required to appear in person before the Nyaya Panchayat ... on the.... day of.... 19... The complainant is....

son/daughter/wife/widow of..... caste..... village .....

Take notice that if you do not appear on the day fixed, proceedings under section 33 of the Act may have to be taken.

Dated this.... day of.... 19...

(Signature of Chairman),  
Nyaya Panchayat or a Panch....

### FORM XVIII

(See Rule 146)

Summons to a person called as a witness in a Civil Suit/Criminal Case

Before the Nyaya Panchayat....

To, ..... son/daughter/wife/widow of.... Caste....  
Village ....

Whereas your attendance is required to depose about certain facts and to produce the documents set out below on behalf of the Plaintiff/Complainant/defendant/accused in the above noted case, you are hereby required to appear personally before this court on the ..... day of.... 19... at ..... O'clock in the forenoon, and to bring with you the following documents:—

- 1.... 4 .....
- 2.... 5 .....
- 3.... 6 .....

A sum of Rs.....being your travelling and other expenses and subsistence allowance for one day lies in deposit with the Nyaya Panchayat and shall be paid to you when you appear. If you fail to comply with this order without lawful excuse, you will be liable to a fine of Rs ...

Dated this.... day of.... 19...

(Signature of Chairman),  
Nyaya Panchayat....

Note:—(1) If you are summoned only to produce a document and not to Give evidence, you shall be deemed to have complied with the summons if you cause such document to be produced before this Panchayat on the day and hour aforesaid.

(2) If you are detained beyond the day aforesaid, a sum of Rs.... will be paid to you for each day's attendance beyond the day specified.

3) You are not to go away until you are discharged by the Panchayat.

### FORM XIX

(See Rule 149)

Commission to examine witness.

Suit No.... of.... whereas the evidence of.... is required by the.... in the above suit,

And whereas you are requested, to take interrogations of such witness.... and you are hereby appointed Commissioner for that purpose. The evidence will be taken in the presence of the parties, if in attendance, who will be at liberty to question the witness on the point specified and you are further requested to make return of such evidence as soon as it may be taken.

A sum of Rs.... being your fee in the above is herewith forwarded.

Given under my hand and seal of the.... Nyaya Panchayat this.... day of 19 ..

Chairman, Nyaya Panchayat....

### FORM NO. XX

(See Rule 153)

Notice of Result of suit or case.

No. and title of the suit or case

To,

Shri....

You are hereby informed that the judgement above noted case has been pronounced on.... (date).... hereby....

(result of the case to be written)

Signature

### FORM NO. XXI

(See Rule 152)

Decree

Nyaya Panchayat....	File No....
Panchayat Samiti ...	Year....
District....	Title....

Claim for Rs....

This suit coming on this day for final disposal before ... it is ordered that the ... do pay to the... the sum of Rs.... and do also pay Rs.... the costs of this suit.

## COSTS OF SUIT

Plaintiff.	Defendant.
1. Court fee	1. Court fee
2. Subsistence for witnesses	2. Subsistence for witnesses.
3. Commission's fee	3. Commission's fee
4. Service of Process	4. Service of Process
5. Miscellaneous	5. Miscellaneous
Total ....	Total ....

Given under my hand and seal of the Nyaya Panchayat this day ... 19 ..

Signature of Chairman.

## FORM XXII

(See Rule 157)

First Notice for Execution of Decree Nyaya Panchayat....  
 Panchayat Samiti... District...  
 Case No Year 19...  
 ....  
 .... Versus...  
 ....  
 Amount of the Decree...  
 Addressed to Shri Son of...  
 Resident...  
 As Shri Son of...  
 resident of .. has applied for the execution of  
 decree in case No.... year 19.... 19....

You are hereby ordered to pay the total decreed amount to ... within one month under intimation to the Nyaya Panchayat.

Given under my hand and seal this day the... 19....

Signature of Chairman.

## FORM XXIII

(See Rule 160)

Warrant for Attachment and sale of Movable Property Nyaya  
 Panchayat ... District ...  
 Panchayat Samiti ...  
 Note If The Case No...  
 Year 19...  
 Addressed to...  
 ...  
 ...  
 ...  
 ...  
 Decreed amount...

In civil case No.... for the year 19....  
 this Nyaya Panchayat passed a decree dated 19....  
 and accordingly the defendant was ordered that he should pay  
 Rs ..... to the plaintiff.... but he did not pay  
 the amount. You are hereby ordered in accordance with Rule No ...  
 to attach movable property of the judgement debtor to be pointed  
 out by the decree holder (except property exempt from attachment).  
 If the defendant produce security for the decreed amount the  
 proceedings of attachment be hold up on taking the security; other-  
 wise the property be taken under possession and until any other  
 order is received from the Panchayat the property be kept under  
 custody and this warrant be submitted on.... day  
 of 19.... with particulars of execution.

Given under my hand and seal this day the.... 19 ..

Signature of Chairman.

### FORM NO. XXIV

(See Rule 164)

#### 3. 1 Proceedings of the meetings of the Nyaya Panchayat/Bench of Nyaya Panchayat

1. Date on which meeting held....
  2. Place of meeting....
  3. Name of Chairman....
- 
1. Names of members present:
  2. Proceedings of the meeting:
  3. Signatures of members who attended the meeting:

### FORM No. XXV

(See Rule 164).

#### Register of Criminal Cases.

Nyaya Panchayat....

Panchayat Samiti....

District....

for the year (19 -19 ).

S No. of Cri- minal cases.	Date of institu- tion.	Name of vil- lage where offence was committed.	Description of offence with section of law/rule.	Name and address of the complai- nant.	Name and address of the acc- used.
(1)	(2)	(3)	(4)	(5)	(6)

Name of Nyaya Panchas- hearing the case	Date of hearing of the case.	Descrip- tion of judge- ment.	Date of Judge- ment-	Remarks about compliance of judgement.	Results of revision if any.	Remarks
(7)	(8)	(9)	(10)	(11)	(12)	(13)

## FORM NO. XXVI.

(See Rule 164).

## Register of Civil Suits.

..... Nyaya Panchayat .....  
 Panchayat Samiti..... District for the year  
 19 ..19 ..).

S. No. of civil Suit.	Date of institu- tion.	Plaintiff's name and address.	Defen- dent's name and address	Amount of suit.	Court fees. paid.	Name of Nyaya Panchayat hearing the case.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Date of hear- ing of the case	Decree or final orders	Date of de- cree or final orders.	Remarks about Compliance of decree. or final orders.	Result of revision if any.	Remarks	
(8)	(9)	(10)	(11)	(12)	(13)	

## FORM No. XXVII.

(See Rule 164).

## Register of fines

.....Nyaya Panchayat .....		Panchayat	
Samiti	.....District for the year (19	19	).
Serial Number	Name and address to accused	Case No. and year.	Fine imposed. Rs. nP.
(1)	(2)	(3)	(4)
Fine recovered		Page No. of	Signature of
Date and number of receipt.	Amount Rs. nP.	Cash Book. Remarks.	Chairman of Nyaya Pan- chayat.
(5)	(6)	(7)	(8)
			(9)

## FORM No. XXVIII

(See Rule 164)

## Register of sale of court fee labels

Nyaya Panchayat ..... year.....  
 Panchayat Samiti..... District.....  
 Sale of stamps

Tickets.					Case No.
S. No.	Date.	Name, father's name resi- dence of the purchaser	nP. nP. nP.	Total	month/year
1.	2.	3.	4.	5.	6.

## Realisation of Court fees in Cash

Amount deposited.		Signature of the depositor.	Reference to page of Cash Book where credited.	Signature of Chairman		Remarks.
Rs.	nP.					
7.	8.	9.	10.	11.		

## FORM No. XXIX.

(See Rule 164)

Register of expenses to be paid to witnesses

Nyaya Panchayat ..... Year.....  
 Panchayat Samiti..... District .....  
 Particulars.

S. No.	Date of Deposited	By whom deposited	Amount Rs. nP.	File No. with year.	Plaintiff complainant	Defendant accused.
1	2	3	4	5	6	

Amount paid Rs.	To whom paid nP.	Acknowledgement of payee.	Signature of the Chairman.	Remarks.
7	8	9	10	11

## FORM XXX

(See Rule 164)

Register of Service of processes, summons and notice

.....Nyaya Panchayat..... Pan-  
 chayat Samiti..... District of the year 19 .....

S. No.	Case No. Civil/Criminal	Name and address to whom process summons, notice issued.	Amount of process, or notice fees realized.	From whom realized.	No. and date of receipt.	Amount Rs. nP.	Remarks.
1	2	3	4	5	6	7	8

Name of process-server.	Date on which notice or summons was given for service.	Date on which served.	Date on which process, summons and notice returned after service.	Kind of service.	Amount spent for service of process summons and notice. Rs. nP.	Remarks.
7	8	9	10	11	12	13



## FORM XXXI

(See Rule 165)

### Register of the Villa volunteer Force.

Panchayat ..... Panchayat Samiti .....  
District .....

S. No.	Name of volunteer	Fathers' name.	Address	Age	Occupation	Remarks.
1	2	3	4	5	6	7

## FORM XXXII

(See Rule 168)

### Certificate of Fitness as the chief officer on passing the prescribed test.

This is to certify that .... (name of the  
Chief Officer).... son of.... (name of  
father), of.... (address) has passed  
the test held on.... (date after undergoing the  
prescribed course of training.

*Signature of Officer I/c. Training.*

## FORM XXXIII

(See Rule 169)

### Form or Declaration by a member of the Village Volunteer Force.

I,.... (name of the member of the village  
volunteer force), do hereby solemnly declare that I shall serve the  
Panchayat of .....

.... (name of the Panchayat) and the  
Government of my country as by law established faithfully and  
honestly, so help me God:

*Signature of the member of the Village  
Volunteer Force.*

## FORM XXXIV

(See Rule 169)

### Certificate of Enrolment

This is to certify that Shri.... (name of the  
member of the village volunteer force) son of....  
(name of father) of.... (address) has been enrolled as  
volunteer in the panchayat of.... (name of the  
panchayat).... (Name of the panchayat  
Samiti) .... (name of the District).

This certificate is valid up to...

Place....

Date ...

19

Signature of the Sarpanch or any officer  
authorised by the Sarpanch.

FORM XXXV

(See Rule 170)

Certificate of fitness as ... a member of the Village  
Volunteer Force.

This is to certify that...

(name of the

member of the village volunteer force), son of...

(name of father) of...

(address) has passed the test held

on.... (date) after undergoing

the prescribed course of training.

Place...

Signature of the Officer I/c. Training.

Date....

XXXVI

(See Rule 173)

Roll of the village Volunteer Force.

Gram Panchayat....

Panchayat Samiti

District

Serial No.	Name of Volunteer	Father's name.	Address	Age	Occupation	Details of war or police service if any.
1	2	3	4	5	6	7

Reward or punishment.	Date of enrolment.	Date of discharge.	Signature of Sarpanch.	Remarks.
8	9	10	11	12

FORM XXXVII

(See Rule 182)

Certificate of Discharge.

This is to certify that...

the member of the village volunteer force) son of... (name of

(name of father) of... (address) enrolled

as a volunteer in the Panchayat of... (name of

Panchayat) has been discharged for... State reasons

of discharge) on.... (date).

Seal of Panchayat.

Signature of the Sarpanch.

FORM XXXVIII

(See Rule 186)

Cattle pound (Kine House) Register—Village Panchayat...

Panchayat Samiti... District .. Year ...19 .....

S.No.	Date and time of entry of the animal	No. of Receipt granted on the entry of the animal	Description of animal.	Identification mark of the animal and appearance.	Name of the person entering the animal and place of residence
1	2	3	4	5	6

Name of owner of the animal and place of residence if known.	Date, time and manner of disposal of the animal i.e. sold released or treated as unclaimed property	Receipt & No. of the disposal of the animal sold, released or treated as unclaimed property	No. of days for which animal remained in kine house
7	8	9	10

Fine and grazing fee realized.	Amount deposited in Panchayat fund or paid to the owner of the animal	Total amount realized from the individual obtaining the animal or received on Sale
Fine	Grazing Fee.	
11	12	13

Name and address of individual obtaining the animal.	Signature or Thumb impression of individual obtaining the animal.	Signature of Rmk. incharge, of cattle pound.
14	15	16
		17

FORM No. XXXIX.

(See Rule 186)

Receipt for the entry of animal (in two foils)

Book No .....

Serial No..... dated the.... 19....

Name of Kine House.... Village Panchayat ....

..... Panchayat Samiti ..... Distt.

Date and time of entry of the animal	Name and place of residence of the individual entering the animal.	No of animal admitted and description, etc.	Name & Place of residence of the owner if it is known	Kine House Register number	Remarks.
1	2	3	4	5	6

Signature of Incharge cattle pound.

## FORM No. XL

(See Rule 186)

Pass for the release of animal from Kine House.

(TO BE ISSUED)

Book No.....

Serial No..... Dated the..... 19.....

Name of Kine House.....Village Panchayat ... Panchayat

Samiti.... District....

Date and time of entry of the animal.	Date and time of release of the animals.	No. of animals and description	Name and place of residence of individual taking the animal.
1	2	3	4
Fine realized	Grazing fee realized	Any other recovery	Remarks.
5	6	7	8

## FORM XLI

(See Rule 186)

Pass for the release of animal (To be kept in the Panchayat)

Book No.

Date

Serial No.

Village Panchayat

Name of Kine House

Panchayat Samities....District

S. No. of the Kine house register	Date & time of release of the animal	Amount of fine	Grazing fee	Any other recovery.	Remarks.
-----------------------------------	--------------------------------------	----------------	-------------	---------------------	----------

Total including previous total Signature of Kine House Clerk.

(See Rule 186)

Receipt to be given to the purchaser of animal

Book No.....

BOOK NO..... Dated the .....

Serial No .....

Name of kine house .....

..... Page .....

Book No .....

Serial No... . ....

Name of kine house ...

.....Panchaya,  
.....

Kine house Register No.	Description of animal and class	Identification mark or appearance	Name of purchaser of animal and place of residence	Cost at which animals were sold by auction	Particulars of entry in Cash-Book	Remarks.
1	2	3	4	5	6	7

—

2

၈

4

5

3

2

Signature of Purchaser of animals.

Signature of Sarpanch.

## FORM No. XLIV

(See Rule 211)

Register for the Registration of Deaths—Village Panchayat....

.....Panchayat Samiti District Year 19 .

S.No.	Date of death	Male or female	Name of deceased and name of his/her father, husband and place of residence.	Name, race, religion & occupation of the father of the deceased if the deceased was a married woman of the husband of the deceased.
1	2	3	4	5
Age on the day of death.	Cause of death	Name of person giving information with place of residence.	Signature of person informing.	Remarks
6	7	8	9	10

## FORM No. XLV

(See Rule 211)

Register for the Registration of Marriages—Village Panchayat .....

Panchayat Samiti District Year 19 .

S.No.	Date of marriage.	Name, father's name, caste and place of residence and age of bridegroom.	Name, father's name, caste and place of residence and age of bride.
1	2	3	4
Name, father's place of residence person informing.	name, caste and of the	Signature of person informing.	Remark
5		6	7

## FORM No. XLIII

(See Rule 211)

Register for the Registration of Births—Village Panchayat.....

Panchayat Samiti District Year 19 .

S.No.	Date, place and time of birth.	Boy or Girl	Name of child if any.	Name of the father and grand father, father's occupation, caste, religion & place of residence.
1	2	3	4	5
Name of person reporting birth and place of residence.			Signature of person reporting.	Remarks.
6			7	8

## FORM No. XLVI

(See Rule 250)

Register for application for inspection—Panchayat/Nyaya  
Panchayat.... Panchayat Samiti.... District... Year...19

S.No.	Name address of applicant.	Date of appli- cation.	Whether urgent or ordinary.	Particulars of the document of which inspection is sought.
1	2	3	4	5
Amount to be paid including search fee.		Date & time on which inspection made.		Signature of the Sarpanch or Nyaya Panch.
6		7		8
				9

## FORM No. XLVII

(See Rule 250)

Register of application for copies of.... Panchayat/Nyaya  
Panchayat.... Panchayat Samiti District.... Year...19

S.No	Name & Address of applicant.	Date of appli- cation.	Whether urgent or ordinary.	Particulars of the document which copy is applied for.	Amount to be paid including searchfee.
1	2	3	4	5	6

Date of payment.	Date on which copy was ready for delivery.	Date on which delivery was taken	Mode of delivery of copy		Remarks
			Personally	By post	
			Signature or thumb impre- ssion of the ap- plicant in token of receipt of copy	Date of Despatch	
7	8	9	10	11	12

## FORM No. XLVIII

(See Rule 251)

Register of buildings and other immovable property—Panc-  
hayat.... Panchayat Samiti District.... Year 19

S.No.	Date of receipt of property.	Particulars of property.	Value	Purpose for which used.	Annual income if any.	Remarks
1	2	3	4	5	6	7

## FORM No. XLIX

(See rule 257)

## Register of sale of Abadi Lands.

Panchayat ...			Panchayat Samiti ...			District....Year ...	
S. No.	File No.& year.	Date of opening file.	Subject of file.	Particulars of land.	Date of decision.	Substan- ce in brief of the order.	Remarks
1	2	3	4	5	6	7	8

## FORM No. L

(See Rule 260)

Notice inviting objections regarding proposed sale of Abadi land.  
Panchayat.... Panchayat Samiti ... District ...

## NOTICE

No .. Date....  
Notice is hereby given that Shri... S/o ...  
resident of ... has applied to this Panchayat for purchasing  
the land described below:—

(Description of land)

If any one has any objection to the sale of the abovementioned land he should file his objections within one month of the date hereof.

Seal of Panchayat.

Signature of Sarpanch.



## The Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961 [ 119 ]

**FORM No. LI**  
**(See Rule 290)**  
**Budget Estimates**

Name of Panchayat....		District....		ESTIMATED EXPENDITURE								
Panchayat Samiti....		District....		ESTIMATED EXPENDITURE								
ESTIMATED INCOME		ESTIMATED INCOME		ESTIMATED EXPENDITURE								
S. Opening Head of Sanctioned Actual in- Estimated S. Head of Sanctioned Actual Estimated		S. Opening Head of Sanctioned Actual in- Estimated S. Head of Sanctioned Actual Estimated		ESTIMATED EXPENDITURE								
No. balance receipt budget of come of income of No. expendi- budget of expend- expendit- Remarks		No. balance receipt budget of come of income of No. expendi- budget of expend- expendit- Remarks		ESTIMATED EXPENDITURE								
previous year		previous year		ESTIMATED EXPENDITURE								
19... 19 ..		19... 19 ..		ESTIMATED EXPENDITURE								
1 2 3 4 5 6 7 8 9 10 11 12		1 2 3 4 5 6 7 8 9 10 11 12		ESTIMATED EXPENDITURE								
1. Opening Balance.		1. Opening Balance.		ESTIMATED EXPENDITURE								
2. Receipts from taxes or fees		2. Receipts from taxes or fees		ESTIMATED EXPENDITURE								
(i) Tax on buildings		(i) Tax on buildings		ESTIMATED EXPENDITURE								
(ii) Octroi		(ii) Octroi		ESTIMATED EXPENDITURE								
(iii) Pilgrims tax		(iii) Pilgrims tax		ESTIMATED EXPENDITURE								
(iv) Vehicle tax.		(iv) Vehicle tax.		ESTIMATED EXPENDITURE								
(v) Water Tax		(v) Water Tax		ESTIMATED EXPENDITURE								
(vi) Tax on Commercial crops		(vi) Tax on Commercial crops		ESTIMATED EXPENDITURE								
(vii) Tax for community service		(vii) Tax for community service		ESTIMATED EXPENDITURE								
(viii) Fee for grazing cattle on grazing lands.		(viii) Fee for grazing cattle on grazing lands.		ESTIMATED EXPENDITURE								
(ix) Any other tax		(ix) Any other tax		ESTIMATED EXPENDITURE								
3. Sale proceeds		3. Sale proceeds		ESTIMATED EXPENDITURE								
(a) of car-cases of animals and other matter		(a) of car-cases of animals and other matter		ESTIMATED EXPENDITURE								
(b) of unserviceable property vesting in the Panchayat.		(b) of unserviceable property vesting in the Panchayat.		ESTIMATED EXPENDITURE								
4. Contribution		4. Contribution		ESTIMATED EXPENDITURE								
(i) (a) by any local authority		(i) (a) by any local authority		ESTIMATED EXPENDITURE								

## (b) by State Government

## (ii) Other contributions

5. Income or proceeds of any property vesting in the Panchayat
6. Cattle pound receipts
7. Sums received by way of gifts
8. Sums ordered by a Court or a Department to be placed to the credit of Panchayat funds or received from the Nyaya Panchayat
9. Miscellaneous receipts
10. Loans, deposits and advances
  - (i) (a) Loan from the State Government
  - (b) Loan from the Panchayat Samiti
  - (ii) (a) Contractors
  - (b) Others
  - (iii) Advances
11. Total receipts
12. Grand total (including opening balance)
13. Income per head of population

- (a) (i) Establishment
- (ii) Contingencies
- (b) Constructions and maintenance of:—
  - (i) Drains
  - (ii) Manure pits
  - (iii) Latrines

## 6. Lighting—

- (a) Establishment
- (b) Oil
- (c) Other requisites

## 7. Burning and burial grounds

- (a) purchase
- (b) maintenance
- Cattle pounds

## 8.

- (a) Establishment and maintenance

## (d) Contingencies

- (c)-Remuneration to pound keeper

## 9. Medical relief

## 10. Maternity and child welfare

## 11. Public Health

## 12. Maintenance of public buildings, vested in the Panchayat

## 13. Primary education

- (i) Construction of Schools

- (ii) Constructions of quarters for teachers

## (iii) Maintenance

## 14. Slaughter House

- (a) Construction

(b) Repairs	
15.	Village Defence
16.	Development of Agriculture
17.	Census
18.	Family planning
19.	Maintenance of stud bulls
20.	Breeding and protecting cattle
21.	Village Industries
22.	Assistance for fire
23.	Welfare of the people
	(i) Maintenance of akharas
	(ii) Maintenance of clubs
	(iii) Maintenance of other institutions
24.	Social and cultural activities
25.	Radio and Gramophones
26.	Library and Reading Room
27.	Other works of public utility
28.	Contribution to the Panchayat Samiti
29.	Contribution to the Nyaya Panchayat
30.	Miscellaneous and Postage
31.	Loans deposits and advances
	(a) Repayments of loan
	(b) Repayments of deposits
	(c) Advances
32.	Total expenditure
33.	Closing balances
34.	Grand Total

Total

Total

Secretary ..

Sarpanch Panchayat .....

Statement showing probable receipts and expenditure of Nyaya Panchayat .. ..... P.S. ....  
 District.....  
 for the year 19 ..

## Receipts

## Disbursements

Actuals of previous year	Sanctioned estimates of current year	Budget estimates of previous year	Actual of Sanctioned estimates of current year	Budget estimates of current year	Remarks
1. Opening Balance					
2. Income from Fees					
3. Income from fines					
4. Income from property					
5. Contribution from Panchayats					
6. Miscellaneous					
			Total		
			Total		

1. Opening Balance
2. Income from Fees
3. Income from fines
4. Income from property
5. Contribution from Panchayats
6. Miscellaneous

## 1. Establishment

- (1) Salary
- (2) Office building
- (3) Contingent charges
2. Contribution of Panchayat
3. T.A. and D.A.
4. Miscellaneous

Place .....

Chairman.

Date .....

Nyaya Panchayat.....

## FORM No. LIII

(See Rule 301)

## Challan

.... Panchayat....

....Panchayat Samiti  
....District

S.No.	Name and Date of Depositor	Address of depositor	On what acco- unt deposited	Amount	
				In figures	In words.
1	2	3	4	5	6
	Signature of the Sarpanch of the Panchayat		Signature or thumb impression of the depositor.		

## FORM No. LIV

((See Rule 301)

Panchayat ....

Panchayat Samiti....

District

Bill No. ..  
Date

S.No.	Particulars of the purpose for which amount is to be drawn.	Quantity or Rate Unit	weight	Months	Amount
-------	--	--------------------------	--------	--------	--------

1. Amount of allotment in  
the sanctioned budget.

2. Previous expenditure

3. Expenditure shown in-  
the bill.

Total of 2 &amp; 3....

Balance available ....

Submitted to the Panchayat for sanction. I have examined  
the claim and found it correct in all respect.Certified that the rates and  
quantities shown in the  
bill are correct and the arti-  
cles have been received and  
entered in the Stock Register.....Signature of the person ]  
....receiving article.

Sarpanch

Resolution No....

Dated....

The sum of Rs ...

shown in the bill is sanctioned.

Sarpanch.

Received payment of Rs....

....(in words).

Paid before me....

Sarpanch

Stamp.

Voucher No....

Entered in the

Signature of the payee.

FORM No. LV

(See Rule 301)

Page No....

Pass Book.

Year....

Name of the Panchayat....

Panchayat Samiti

District....

Receipts.

Date of transaction	By whom deposited	No. & date of Challan	Amount Rs. N.P.	Running Total	Date of transaction
1	2	3	4	5	6

Disbursements.

To whom issued	Cheque/ Bill No. & Date	Amount with- drawn Rs. N.P.	Balance after transaction	Signature of the Sarpanch	Signature of the Banker or his agent	Remarks
7	8	9	10	11	12	13

FORM No. LVI

(See Rule 303)

Voucher

Received from....

Panchayat....

(Panchayat Samiti)....

(District) Rupees (in words)....

on account of....

Rs. ... (in figure)

Place ...

Date ...

Signature of the payee or thumb impression.

FORM No. LVII

(See Rule 307)

Cash Book

Panchayat/Nyaya Panchayat.... Panchayat Samiti for the year (19-19) Receipt side.

S. No.	No. of receipt	From whom received	On what account.	Ledger A/C No.	Amount Rs. NP.	Total amount Rs NP.
1	2	3	4	5	6 7	8 9

S. No.	Voucher No.	To whom paid.	On what account	Ledger A/C No.	Amount Rs. nP.	Total amount. Rs nP.
1	2	3	4	5	6 7	8 9

## FORM No. LVIII

(See Rule 308)

## General Ledger.

.... Panchayat .. Panchayat Samiti for the year (19-19)  
 Nyaya Panchayat ... .. District  
 1. Serial No. of account ...  
 1. Description of account ...

Income				Expenditure (if any)			
Date	Serial No. in cash book.	Amount Rs. nP.	Date	Serial No. of cash book.	Amount Rs. nP.		
1	2	3 4	5	6	7	8	

## FORM LIX

(See Rule 309)

... .. Panchayat.  
 ... .. Panchayat Samiti ... .. District.  
 Register of Revenue realised by the Panchayat.

S No.	Name of the tax payer or any other persons from whom sums recovered.	Monthly rate if any.	Arrears of the last year.	Current demand	Total column (4&5)
1	2	Rs. nP. 3	Rs. nP. 4	Rs. nP. 5	Rs. nP. 6

Receipt No. & date and cash book page No. where amount credited.	Amount. Rs. nP.	Total collection	Amount written off Rs. nP.	Balance 6—(9% off 10) Rs. nP.	Initials of the Sarpanch/Secretary.
7	8	9	10	11	12

## FORM LX

(See Rule 310)

Year .. .... Panchayat ... ..  
 Panchayat Samiti.... .... District.  
 Stock Register for consumable and non-consumable Articles.  
 Description of article... ..  
 Receipt Issue.

S. No.	Date of purchase or acquirement.	Full particulars.	Balance in hand	No. or quantity received.	Total.
1	2	3	4	5	6

Cost.	Reference to Voucher No.	To whom issued or for what pur- pose.	No. or quantity issued.	Balance	Reference of issuing indent number.
7	8	9	10	11	12

**FORM LXI**  
(See Rule 316)  
Monthly Account.

....	....	....Panchayat	....Panchayat Samiti....	....District....	....
....	....	....Month....	....Year.		
Receipts				Expenditure,	

**FORM LXII**  
(See Rule 333)

Proforma of the Annual Administration Report of Panchayat  
Panchayat ...      ....Block ...      ....      ....Category of Block  
....      ....Distt....      ....      year ..      ....

1. Name & population of villages under Panchayat.

1. Name of village.	Population (according to census).
---------------------	-----------------------------------

(i)  
(ii)

Total

2. Details regarding Panchas & Sarpanch.

Scheduled Castes.	Scheduled Tribes	Backward classes	Other castes.	Total.	
Male	Female	Male	Female	Male	Female
(i) Elected unopposed					
(ii) Elected after contest					
(iii) Co-opted					

Total

3. Number of prescribed Panchas.

4. Writs and appeals against the election  
of Panchas & Sarpanch.

Highcourt      Munsif

(a) Instituted.

(b) Accepted.

(c) Rejected.

5. Name of Panchas and Sarpanch re-  
moved under section 17(1) and (4) of  
the Rajasthan Panchayat Act, 1953.

6. Name of Sarpanch or Up sarpanch  
who has been removed under section  
19 of Rajasthan Panchayat Act,  
1953.



7. Has an action been taken against Panchayat under section 73 of Rajasthan Panchayat Act, 1953.

8. Details of meeting:—

(i) Total number of Gram Sabha

(ii) Total meeting for:—

(a) Development works.

(b) Administrative matters.

Total (a and b)

(iii) Meeting postponed due to incomplete quorum.

(iv) Resolutions passed unanimously.

(v) Resolutions passed by majority.

9. Details regarding staff.

(A) Secretary.—

(i) Name.

(ii) Age.

(iii) Education qualification.

(iv) Trained or untrained.

(v) Salaried or honorary.

(vi) Full time or part time.

(vii) Permanent or temporary if temporary what other business he does.

(viii) Does work in other Panchayat if yes, then mention the name of Panchayat.

(B) Other staff:—

(i) Other clerks (No.)

(ii) Peons (No.)

(iii) Staff for lighting (No.)

(iv) Sanitary (No.)

(v) Watch and ward.

(a) Honorary (No.)

(b) Salaried (No.)

(c) in how many villages such arrangements have been made by Panchayat (No.)

10. Has Panchayat rendered any assistance in extinguishing fire and protecting life and property when fire occurred, if yes then:—

(i) No. of families given protection.

(ii) Estimated value of property saved.

(iii) No. of villages in which fire occurred.

11. Has Panchayat organised voluntary labour force for community works and works for uplift of the people ?  
if yes, then give:—
  - (i) Number of people participated.
  - (ii) Number of hours devoted.
  - (iii) Name of works executed.
12. Fairs and hats.
  - (i) Fairs and hats organised by Panchayat (No.)
13. Amount of Small Savings Certificates sold.
14. Has Panchayat secured Life and General Insurance business ? If yes then:—
  - (i) No. of persons insured.
  - (ii) Amount of General Insurance business secured.
15. Has 'Abadi Land' been allotted free of cost to the persons belonging to Scheduled Castes and Scheduled Tribes ? If yes then:—
  - (i) Number of families to whom allotted
  - (ii) Sq. Yards of land allotted.
16. (i) Does Panchayat undertake and render the postal services.  
(ii) No. of villages not having postal facility.
17. No. of Panchas and Sarpanch who have attended the training or other camps (also mention the name of camps).
18. When the accounts of Panchayat were audited (Date)
19. Name of officials who have inspected Panchayat  
Name of the Officer Date
20. Details regarding bye-laws passed by Panchayat (copy to be enclosed).

# STATEMENT OF CASES DECIDED BY PANCHAYAT

Year 19.....

Disposed of

e of cases. Last year's balance. Instituted during the Total  
year. (2 and 3)

By Compromise By Unanimous Others  
resolution

7

5

4

3

2

1

Total (9 to 11)

Balance.

Total (5 to 7) More than one year old. 1 year 6 months old. Less than 6 months old.

11

12

10

9

8

## 1. Administrative:-

- (i) Construction of new build-ings and extension or alte-ration of existing buildings.
- (ii) Encroachment on public way.

- (iii) Sale or exposing for sale of any article of food or drink unfit for human consumption.

- (iv) Deposit of filth, rubbish or other impure material at places not provided for.

## 2. Other administrative cases.

- (i) Cattle pounds.
- (ii) Sale of Abadi land.
- (iii) Others.

**FORM LXII**

( See Rule 338 )

Proforma of the annual administration Report of Panchayat (Details regarding Income & Expenditure)

## INCOME

1. Grant-in-aid, loans and advances

802

- (i) State Government.  
(ii) Panchayat Samitis.  
(iii) Nyaya Panchayats.  
(iv) Other Government Departments.

Grant-in-aid	Rs.	nP.	Loan and advances.	Rs.	nP.	Total	Rs.	nP.
--------------	-----	-----	--------------------	-----	-----	-------	-----	-----

**Total:**

- ## 2. Contribution from non-Government sources:—

1. Local Bodies.
2. Public.

Total

3. Income from taxes:-

Particulars:	Amount assessed during the year.		Amount realised		Balance	
	From Last year's balance	From current year's.	Total	Last year.	Current year	Total

- (i) Tax on buildings.
- (ii) Vehicle tax.
- (iii) Pilgrim tax.
- (iv) Tax for arranging the supply of drinking water.
- (v) Tax on Commercial Crops.
- (vi) Octroi.
- (vii) Any other tax.

Total

4. Income from licenses and fees:-

- (i) License fee.
- (ii) Irrigation fee.
- (iii) Fairs and hats.
- (iv) Other fees.

Total



1	2	3	4	5	6	7	8	9	10	11
(v)	Contract for rubbish, hides and skins of dead animals.									
(vi)	Amount received from loans and advances.									
(vii)	Collection charges on account of land revenue.									
(viii)	Commission received on account of Sale of Small Savings Certificates.									
(ix)	Commission received on account of conducting of life and General Insurance business.									
(x)	Income on account of rendering of postal facilities.									
(xi)	Other:— (mention the name of such sources),									

Total ..

Grant Total (1 to 6) ..

## EXPENDITURE

## Particulars.

## (A) Establishment.

## 1. Salary:—

(a) Secretary.

(b) Other clerks.

(c) Peon.

(d) Servant for lighting streets.

(e) Chowkidars and village guards.

(f) Conservancy staff.

Total (a to f) ..

## 2. Furniture and other permanent goods.

## 3. House rent.

## 4. Postage.

## 5. Stationery.

## 6. Daily and travelling allowances:—

(a) Sarpanch and Panch.

(b) Secretary and other staff.

Total (2 to 6) ..

## 7. Contingent expenses.

Grand Total (1 to 7) ..



(B) Development works:—

[For the details of the following heads see Third Schedule of the Rajasthan Panchayat Act, 1953.]

- [i] Sanitation and health.
- [ii] Public Works.
- [iii] Education and Culture.
- [vi] Self-defence and Panchayat circle defence.
- [v] Administration.
- [vi] Welfare of the people.
- [vii] Agriculture and preservation of forests.
- [viii] Breeding and protecting cattle.
- [ix] Village industries.
- [x] Miscellaneous.

Total [1 to 10] ...

[C] Aid to Nyaya Panchayats

Total of expenditure A—B—C

*Progress of Activities of Panchayats*

*Unit*

[1] Sanitation and Health:—

- [i] Layout and maintenance of Play-ground. No.
- [ii] Layout and maintenance of Public grounds No.
- [iii] Construction of public latrines No.
- [iv] In how many villages infectious disease spread and out of those in how many villages measures were taken to prevent it No.

[2] Public Works:—

- [i] Construction, maintenance and repairs of public streets Mile.
- [ii] Construction, maintenance and repairs of drains Yards.
- [iii] Construction, maintenance and repairs of bunds No.
- [iv] Construction, maintenance and repairs of bridges No.
- [v] New lamps installed for lighting. No.
- [vi] Trees planted along public streets and other places No.
- [vii] Construction and maintenance of dharamshalas. No.
- [viii] Construction and maintenance of houses for the conservancy staff of the Panchayat No.
- (ix) Cattle pounds established and maintained No.
- (x) Establishment and maintenance of warehouses No.
- (xi) For the supply of water to animals for how many ponds arrangements were made for excavation, cleansing and maintenance No.

8) Education and Culture:—

- (i) Establishment and maintenance of akharas, clubs and other places for recreation and games No.
- (ii) Establishment and maintenance of theatres for promotion of art and culture No.

<i>Progress of Activities of Panchayats</i>		<i>Unit</i>
(iii)	New libraries and reading rooms established	No.
(iv)	Aid given to old libraries and reading rooms	No.
(v)	public radio sets and gramophones installed	No.
(4)	Administration:—	
(i)	For how many villages located in Panchayat circle development plans were prepared	No.
(5)	Agriculture and preservation of forests:—	
(i)	For the improvement of agriculture how many model agriculture farms were established	Acres.
(ii)	Village forests raised	Acres.
(6)	Breeding and protecting cattle:—	
(i)	In how many villages medical facilities for cattle provided	No.
(ii)	Maintenance of stud bulls	No.
(7)	Village industries:—	
(i)	Village industries aided	Names.
(ii)	How much amount given as aid, loans and advances	Rs.
(8)	Miscellaneous:—	
(i)	Construction and repairs of all buildings	No.
(ii)	Construction and repairs of all buildings appurtenant to Schools	No.
(iii)	Construction of quarters for primary school teachers	No.

## SCHEDULE I

(See Rule 35)

Duration of course	Three months (90 days)
Sundays.	Twelve.
Practical Training in the Office of Panchayat and Panchayat Samiti.	Six days.
Classes	72 days.
Physical training & games	1 hour daily.
Number of periods	8 per day.

## Distribution.

*General.*

1. Our Government.
2. Philosophy & Objective of Community Development.

1. *Acts and Rules*

1. Rajasthan Panchayat Act, 1953, rules and bye-laws made thereunder.
2. Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 and rules made thereunder.
3. Other State Acts which have a bearing on the administration of Panchayats and Nyaya Panchayats.

## 2. Administration

1. Administrative procedure.
2. Conduct of meetings—procedure to be followed quorum—decisions etc.
3. Accounts keeping:—
  - (a) Compilation of accounts and their audit.
  - (b) Receipts
  - (c) Expenditure.
  - (d) Maintenance of books and Registers.
  - (e) Office procedure—procedure regarding correspondence filing closing of etc.

4. Practical Training in the office of Panchayat and Assistant to the Collector of the District and Panchayat Samiti.

### SCHEDULE II

(See Rule 3<sup>2</sup>)

#### Security Bond.

Where the Panchayat/Nyaya Panchayat of ... ..has agreed to appoint ... .. Me son of ... .. Resident of A. B. ... .. in the Department. A. B.

(The preamble should be varied according to the bond is for (a) personal/Security or (b) personal security with Sureties, or (c) sureties only).

con my giving security/our giving security for the faithful and  
our becoming sureties. deligent performance  
of

My duties/his duties.

(a, b & c are alternative clauses, on of which should be used according to the circumstances).

A. Be it known that I (A. B.) am hold and firmly bound to the said Panchayat/Panchayat in the sum of Rupees ... .. to be paid to the said Panchayat/Nyaya Panchayat, for which payment I bind myself and my heirs, executors and administrators firmly by these presents and to further secure which payment I hereby mortgage or assign by way of mortgage up to the said Panchayat/Nyaya Panchayat my property, which is free from encumbrances and which is set out in the schedule hereto attached to the intent that the same shall remain and be charged by way of simple mortgage in the manner that for the purpose of recovering the said sum of Rs ... .. or any such lesser sum as may become due by the mortgagor, to the mortgagee, may enforce against the said property or any part thereof or any of the remedies of the holder of a simple mortgage.

B. Be it known that wees (A.B C.D and E F ) are hold and firmly bound to the said Panchayat/Nyaya Panchayat in the sum of rupees to be paid to the said Panchayat/Nyaya Panchayat for

which payment we bind ourselves jointly and severally and our heirs, executors and administrators firmly by these presents and to further secure which payment we hereby mortgage (or assign by way of mortgage into the said Panchayat/Nyaya Panchayat property which is free from encumbrance and which is set out in the schedule hereto attached to the intent that the same shall remain and be charged by way of simple mortgage in the manner that for the purpose of recovering the said sum of Rs. ... or any such lesser sum as may become due by the mortgagor the mortgagee by virtue of these presents, the mortgagee may enforce against the said property or any part thereof all or any of the remedies of the holder of a simple mortgage.

C. Be it known that we or (C. D. and E. F.) are held and firmly bound to the said Panchayat/Nyaya Panchayat, for which payment we bind ourselves jointly and severally and our heirs, executors and administrators firmly by these presents and to further secure which payment we hereby mortgage (or assign by way of mortgage) up to the said Panchayat/Nyaya Panchayat our property which is free from encumbrance and which is set out in the schedule hereto attached to the intent that the same shall remain and be charged by way of simple mortgage in the manner that for the purpose of recovering the said sum of Rs ..... or any such lesser sum as may become due by the mortgagors to the mortgagee by virtue of these presents, the mortgagee may enforce against the said property or on part thereof all or any of the remedies of holder of a simple mortgage.

The conditions of the above written I (shall faithfully (My) duties bonds is such that if. A.B. As.

A.B. (and diligently (His) a  
..... Perform (His and.

shall from time to time and all times when required to do so account for, render and deliver to the said Panchayat/Nyaya Panchayat as may be directed by the said Panchayat/Nyaya Panchayat all moneys, securities for money and property whatsoever for or with. Which I I. may receiver or be

A.B. may be accountable or (A.B) entrusted with and A.B. chargeable or which (A.B) shall not withheld.

Destroy

or any way injure and such money, securities or money and property as aforesaid, then the above written bond shall be void otherwise it shall remain in full force:

Provided always that if the (obligor) shall at my time or from time to transfer to any other Panchayat/Nyaya Panchayat within the said district of.....then and in that case these presents shall be read and construed as if instead of the Panchayat/Nyaya Panchayat ..... the name of such Panchayat/Nyaya Pan-

chayat within the district of.... under which the said (obligor) may be at any time serving where therein written and the condition of the above written bond shall apply in the case of any such Panchayat/Nyaya Panchayat within the District of .....

And so that any forgiveness or the Part of the Panchayat/Nyaya Panchayat towards A.B. in respect of the failuer to perform his duties or otherwise comply with the condition of the Panchayat shall no in any way exonerate the said ..... or either of them or their heirs, executors or administrators of the property mortgaged from liability under the said written bond.

This clause is not to be used where there are no securities.

### SCHEDULE

Signed by the above named....

(Two witnesses are required .....

in the presence of..... (i)

.....(ii)

**Note :—**(1) Where immovable property is mortgaged the bound must be registered.

(2) Where the name of the office to be held by employee is mentioned in the bond, the bond will hold good only in respect of that office. If the employee is likely to serve in more than one capacity either on promotion or otherwise the form will require alienation.

(3) When there is only one surety the wording of the bond in case C will need alienation.

### SCHEDULE III

(See Rule 49)

(1) The amount of the interest accrued on balance at the credit of a subscriber shall be calculated at the end of the year when the account is closed to the nearest naya-Paisa on the lowest balance, excluding fractions of rupee, at the credit of the subscriber between the close of the fourth day and the last day of each month.

(2) At the end of the year and after the interest has been added in the Pass Book on the deposits in the Savings Bank and, the interst reveived on all investments if any, a board sheet shall be drawn up in which all the interest bearing balance will be noted. The amount of the interest added in the Pass Book on the entire amount of the sum deposited during the year to the credit of the Panchayat or Nyaya Panchayat as the case may be as well as the interest received of investments if any less any amount already entered during the year under sub rules shall be distributed among the individual accounts proportionately, (disregarding fraction of rupees).

(ii) If any payment has to be made during the year to on any individual deposit account interest shall be calculated on that account as nearly as possible, proportionately at the rates allowed by post offices or the Bank, as the case may be. This amount of interest

collected shall be entered against the account concerned before payment is made.

(v) At the end of the each year the Panchayat or the Nyaya Panchayat, as the case may be shall furnish each subscriber with a statement showing the balance at credit of his account at the beginning of the year, the amounts added there to by way of subscription and contribution and the interest accrued during the year and the balance at the credit of his account at the end of the year. Depositors are required to satisfy themselves as to the correctness of these statement and send their acceptance thereof unless errors in them are brought to the notice of the Sarpanch of the Panchayat or the Chairman of the Nyaya Panchayat as the case may be within one month from the date of the receipt for reconciliation.

#### SCHEDULE IV

(See Rule 271)

#### Sale Deed of Abadi Land.

Form of sale deed of Abadi land purchased by the purchaser at an auction sale.

THIS DEED OF SALE is made on the... day of .. between ... Panchayat established or deemed to be established under the Rajasthan Panchayat Act, 1953 (Rajasthan Act XXI of 1953), being a body corporate by virtue of the provisions of section 87 of that Act, (hereinafter called "the Vendor") of the one part and ... S/o ... resident ..... (hereinafter called the "Purchaser") of the other part.

#### WHEREAS—

1. The land described in the Schedule hereto and more particularly described in the plan annexed hereto which shows it as bounded in red, vests in the Vendor for the purpose of the Vendor

2. The said land was put up to auction for sale on behalf of the Vendor on ... day of ... (pursuant to the application of Shri... for purchase of the land) and the Purchaser's bid of rupees... being the highest was accepted, and has been confirmed by the Resolution No.....dated .. of the Vendor Panchayat and by order No ... dated ... of the ... order No ... dated

3. The said auction was held in accordance with rule ..... of the Rajasthan Panchayat Rules, 1961 as amended up to date; and

4. The Purchaser has deposited the said sum of rupees... to the credit of the Vendor.

#### Now this deed Witnesses as follows.

1. In pursuance of the said auction sale and in consideration of the sum of rupees ..... paid by the purchaser as aforesaid (the receipt whereof the Vendor hereby acknowledges), the Vendor thereby transfers to the Purchaser the land described in the Schedule hereto and more particularly described in the plan annexed hereto which shows it as bounded in red. To Hold the same to the Purchaser as

absolute owner subject to the payment of such cesses and taxes as may be lawfully assessed or imposed thereon and subject to the restrictions imposed by the Rajasthan Panchayat Act, 1953 and rules and bye-laws made thereunder as for the time being in force.

It is hereby agreed that the expression "the Vendor" hereinbefore used includes the successor and assigns of the Vendor, and the expression "the Purchaser" hereinbefore used include his heirs, representatives successors, and assigns.

(Schedule and Plan to be annexed)

Signed on behalf of ... ..

Panchayat in pursuance of resolution

No ... ..dated .. ..of the Panchayat.

Signature of Sarpanch.

Witness I ... ..

Witness II ... ..

Signed by the Purchaser.

Witness I... ..

Witness II ... ..

## SCHEDULE V

(See Rule 271)

Pattabahi (Register of sale deeds) of Abadi land.

Village Panchayat ... Panchayat Samiti District.....

S. No.	F. No.	No. and date of order of Panchayat and No. and date of higher officer, if any.	Copy of sale deed.	Signature of person obtaining sale deed.	Signature of Sarpanch	Remarks.
1	2	3	4	5	6	7

## SCHEDULE VI.

(See Rule 287)

### Form of Agreement

An agreement made this ... ..day of ... ..  
between.... ..(hereinafter called  
the approved supplier which expression shall, where the context so  
admits, be deemed to include his heirs, successors, executors and  
administrators) of the one part and Panchayat, which expression  
shall, where the context so admit be deemed to include its successors  
in office and assigns of the other part.

2. Whereas the approved supplier has agreed with the .....  
Panchayat to supply ... ..all those articles  
set forth in the schedule appended hereto in the manner set forth in  
the conditions of the tender and contract appended herewith and at  
the rates set forth in column.... ..of the said schedule;

3. And whereas the approved supplier has deposited a sum fo  
Rs ... ..in;

1. Post Office Cash Certificates,
2. Indian Postal Order,
3. Fixed deposits receipts of an Scheduled Bank,
4. Cash through Treasury Challan,
5. Treasury Savings Deposit Certificates and National Plan Certificates, (The Certificates being accepted at their surrender value),

as security for the due performance of the aforesaid agreement.

4. Now these presents witness—(1) In consideration of the payments to be made by the said Panchayat... .. at the rates set forth in the schedule hereto appended the approved supplier shall duly supply the said articles set forth in ... .. and ... .. thereof in the manner set forth in the conditions of the tender and contract.

(2) The conditions of tender and contract as enclosed to the tender notice No ... .. dated .....and also amended to this agreement will be deemed to be taken as part of this agreement and are binding on the parties executing this agreement.

(3) (a) The said Panchayat do hereby agree that if the approved supplier shall duly supply the said articles in the manner aforesaid and observe and keep the said terms and conditions, the Panchayat will.... ..pay or cause to be paid to the approved supplier at the time and the manner set forth in the said conditions, the amount payable for each and every consignment.

(b) The mode of payment will be as specified below:—

1....	....	5....	....	....
2....	....	4....	....	....

(4) The delivery shall be effected and completed within ... .. period of ... .. from the date of this agreement and/or the date of order.

(5) In case of non-fulfilment of all or any of the condition of the Contract by the approved supplier, penalty at the rate of Re. 1/- per day over the estimated cost of the total indented supplies or 25% of the total cost whichever is less shall be levied and will be recovered either out of the dues of the supplier or from the earnest money or will be recovered through any other source or manner as public dues.

(6) All disputes arising out of this agreement and questions relating to the interpretation of this agreement shall be decided by the Government and the decision of the Government shall be final.

In witness whereof parties hereto have set their hands of the....  
.... day.... 19 ..

Signature of the  
approved supplier.

Signature for and on behalf  
of the

Designation.

Dated.

Dated  
Witness No. I  
Witness No. II

Witness No. I  
Witness No. II



# RAJ. PANCHAYAT & NYAYA PANCHAYAT (GENERAL) RULES, 1961

Panchayat & Development Department

## NOTIFICATION

Jaipur, January 21, 1963.

No. F. 4/LJ/2/9/62/1245.—In exercise of the powers conferred by section 89 read with section 64 (f) of the Rajasthan Panchayat Act, 1953 (Rajasthan Act, No. 21 of 1953), the State Government hereby makes the following amendment in the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely:—

## AMENDMENT

In the said rules:—

clause (iv) of rule 109 shall be deleted.

[Pub. in Raj. Gaz. 4 (c)—Dt. 2-7-63 at Page 900 ]

Panchayat & Development Department

## NOTIFICATION

Jaipur, February 2, 1963.

No. F. 4 (LJ/2(9) 62/1960 —In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Act No. 21 of 1953) and all other powers enabling it in this behalf, the State Government hereby makes the following amendment in the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely :—

## AMENDMENT

In Form No. XVII of the said rules, for the words and figures “under section 33” occurring in between the words “proceedings” and “of the Act” the words and figures “under section 52 (3)” shall be substituted.

By Order of the Governor,  
RAM SINGH,

Dy. Secretary to the Government.

[Pub. in Raj. Raj-Patra IV (c) Dt. 21-2-1963 at Page 912]

Notification No. F. 4/LJ/2 (9) 62/6952.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby makes the following amendment in the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely :—

## AMENDMENT

In the said Rules, in rule 109, after clause (vii), the following new clause shall be inserted, namely:

“(viii) machinery imported into any panchayat circle for the purpose of setting up new industries or for expansion thereof or for renovation and repairs of machinery in existing industries, if the importer produces a certificate from the Industries Department of the State verifying the purpose of such import”.

[Published in Rajasthan Gazette (Panchayat and Development Department) dated 25-4-1963 part IV (Ga) page 25]

Notification No.F. 4/LJ(9)62/3867.—Jaipur dt. 18-2-63.—In exercise of the powers conferred by section 89 read with Sec. 15 A of the Rajasthan Panchayat Act, 1953 (Rajasthan Act No. 21 of 1953), the State Government hereby makes the following amendments in the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961—

## AMENDMENTS

In the said rules—

1. The following sub-rule shall be added after sub-rule (4) of rule 8 as sub-rule (4A) thereof—

“(4A) (a) At the time of the transfer of the charge u/s 15A a charge report shall be drawn up in the form LXIV. The persons making over and taking over charge shall both put their signatures and the date on the charge report in token of their having respectively made over and received the charge of the office along with that the articles, books, registers, documents, cash, valuable securities and other record as indicated in the charge report.

(b) The charge report will be drawn up in quadruplicate and the person making over and taking over charge shall each retain one copy thereof and of the remaining two copies, one will be placed on record, and the other will be submitted to the Panchayat Samiti within whose jurisdiction the Panchayat or the Nyaya Panchayat lies, by the person taking over charge, within one week of the receipt of the charge by him.

(c) On the date of the transfer of charge, the cash book and the imprest account shall be closed and a note shall be recorded thereon over the signatures of both the relieved and the relieving persons showing the cash and the imprest balances and the number of the unused cheques, if any, made over and received by them respectively.

(d) The relieving person shall while sending a copy of the charge report to the Panchayat Samiti bring to its notice anything irregular or objectionable in the conduct of business that may have come officially in his notice and for this purpose he shall examine the accounts, count the cash, inspect the stores, count, weigh and measure certain selected articles in

order to test the accuracy of the books. He shall also describe generally the state of account records.

2. The following proforma shall be added after the form LXIII.

# FORM LXIV

## Charge Report

(See Rule 8)

Certified that I have handed over charge of the office of  
taken over

Panch/Sarpanch/Upsarpanch in the forenoon/afternoon of this.....  
... day of.... 19

Relieved Panch/Sarpanch/Up-sarpanch	Relieving Panch/
Station	Sarpanch/Up-sarpanch
Dated	

Name of the balances and other records for which responsibility is accepted by the Panch/Sarpanch/Upsarpanch taking over charge.

1. Cash (Amount).....
2. Imprest voucher.....
3. Stamp value .....
4. Stores articles (Book value) as per list enclosed
5. Receipt books (Number)
6. Register and files (as per list enclosed duly signed by both officials) Relieving Panch/Sarpanch/Upsarpanch

[Published in Rajasthan Gazette (Panchayat and Development Department)  
dated 4-4-63 part IV (Ga) page 2.)

Notification No. F.4/LJ/2/22/63/23876.—In exercise of the powers conferred by section 89, read with section 43 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby makes the following further amendments in the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961 namely :—

## AMENDMENT

After clause (d) of Rule 128 of the said rules, the following new clauses shall be inserted, namely :—

“(e) The wages of labourers and domestic servants whether payable in money or kind ; and

(f) Salary to the extent of the 1st Rs. 100/—and 1/2 of the remainder in execution of any decree other than a decree for maintenance :

Provided that where such salary is the salary of a servant of the Crown or a servant of a railway company or local authority and the whole or any part of the portion of such salary liable to attachment has been under

attachment, whether continuously or intermittently for a total period of twenty-four months, such portion shall be exempt from attachment until the expiry of a further period of twelve months and, where such attachment has been made in execution of one and the same decree, shall be finally exempt from attachment in execution of that decree ;

**Explanation 1.**—The particulars mentioned in clauses (e) and (f) are exempt from attachment or sale whether before or after they are actually payable and in the case of salary other than salary of a servant of the Central or State Government or a servant of a railway company or local authority the attachable portion thereof is exempt from attachment until it is actually payable.

**Explanation 2.**—In clauses (e) and (f) “salary” or “wages” means the total monthly emoluments, excluding any allowance declared exempt from attachment under any statutory order of the State or Central Government, derived by a person from his employment whether on duty or on leave.”

**Notification No. F. 4/LJ/2/30/63/23875.**—In exercise of the powers conferred by section 89, read with section 17 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act No. 21 of 1953) the State Government hereby makes the following amendments in the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely :—

### AMENDMENTS

In the said rules :—

1. In sub-rule (7) of rule 12, for the Roman figures “VI” within brackets, the figure “(6)” shall be substituted.

2. In sub-rule (3) of rule 152, for the words “in open”, the words “before all who may be present” shall be substituted.

3. For sub-rule (2) of rule 353, the following sub-rule shall be substituted namely :—

“(2) the syllabus for the training shall be such as the State Government may from time to time, by notification in the Official Gazette, specify”.

[ Raj. Gaz. IV (Ga)—Dt. 20-2-64 Page 671 (30) ]

Panchayat and Development Department

Jaipur, January 2, 1965.

**Notification No. F.4/LJ/PS/A/64/339-636.**—In exercise of the powers conferred by section 89 read with section 4 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby makes the following amendment in the Rajasthan Panchayat & Nyaya Panchayat (General) Rules, 1961, namely :—

### AMENDMENT

After the existing rule 353 of the said Rules, the following new rules shall be added, namely :—

353 (a) Assistant Registrar, Co-operative Societies having jurisdiction shall, as soon as a Panchayat is constituted or re-constituted under the provision of the Act, or a vacancy of an associate member occurs in the Panchayat, issue under his signature and seal of his office a certificate to the Panchayat indicating the names of the presidents of all the service co-operative Societies, as may be holding the office as such, in the said Panchayat circle, and shall forward a copy of the certificate to the Collector of the District.

353 (b) Any question whether any associate member has ceased to be the president of a service co-operative Society shall be decided by the Assistant Registrar, Co-operative Societies having jurisdiction who shall inform the Collector and the Panchayat concerned accordingly.

Panchayat & Development Department

Jaipur, October 30, 1964.

Notification No. F. 4/LJ/2(9)-92/26281.—In exercise of the power conferred by section 89 read with section 64 of Rajasthan Panchayat Act, 1953 (Rajasthan Act No. 21 of 1953), the State Government hereby makes the following amendments to the Rajasthan Panchayat Nyaya Panchayat (General) Rules, 1961, namely :—

### AMENDMENT

In the said rules :—

1. sub heading 7 of Chapter VI occurring before rule 125 shall be substituted by the following :—

“(7) Recovery of Fees.”

2. the word “Tax” add Comma occurring in rule 125 shall be deleted.

[Pub in Raj. Gaz. 4 (Ga) Dt. 21-1-65-Page 800]

Panchayat & Development Department

Jaipur, December 17, 1964.

Notification No F. 4/LJ/2 (3) /64/835 —In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953) and of all powers enabling in this behalf, the State Government hereby makes the following amendment to the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely:—

### AMENDMENT

After sub-rule (4) of rule 20 of the said rules, the following new sub-rule shall be added, namely:—

“(5) The provisions of the Rajasthan Disciplinary proceedings (Summoning of Witnesses and Production of Documents) Act, 1959 (Rajasthan Act 28 of 1959) and the rules made thereunder, shall also apply mutatis mutandis, to the enquiries against Panch, Sarpanch or Up-Sarpanch of the Panchayat or against any member or Chairman of a Nyaya Panchayat as the case may be, being conducted under the provisions of the Act and the rules made thereunder.”

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 11-3-65 Page 806 (52)]

Panchayat & Development Department

Jaipur, February 10, 1964

Notification No. F. 4/LJ/2/9/64/2862.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953) the State Government hereby makes the following amendment in the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely:—

### AMENDMENT

For Form No. LVII appended to the said rules, the following new Form shall be substituted namely:—

### FORM No. Lb. LVII

(See Rule 307)

### Cash Book

Panchayat/Nyaya Panchayat..... year 19..... 19.....  
Panchayat Samiti..... District.....

RECEIPT								PAYMENT							
Sl. No.	No. of receipt & date	From whom received	Particulars	AMOUNT				Sl. No.	Vr. No. & date	To whom paid	Particulars	AMOUNT			
				Ledger A/C No.	Cash	Post Office/Bank	Classification of Head of Account					Ledger A/C No.	Cash	Post Office/Bank	Classification of Head of Account
1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8

By order of the Governor,

RAMSINGH

Deputy Secretary to the Government.

Panchayat And Development Department

Jaipur, October 18, 1965

Notification No. F. 6 (BKU)/4/Bundi/63/25121.—In exercise of the powers conferred by section 89 read with section 64 of Rajasthan Panchayat Act, 1953 (Act No. XXI of 1953), the State Government hereby makes the following amendment in Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely:—

AMENDMENT

After rules 105 following proviso shall be added:—

“Provided that the Gram panchayat may impose Octroi on goods imported by a Co-operative Society at agreed rates per month.”

[ Pub. in Raj. Gaz. 4 [Ga] Dt. 2-12-65 Page 442 ]

Panchayat & Development Department

Jaipur, May 13, 1966.

Notification No. F. 4/LJ 3/1/66/6762.—In exercise of the powers conferred by section 89 read with section 19 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act No. 21 of 1953), the State Government hereby makes the following amendment to the Rajasthan Panchayat and Nyaya panchayat (General) Rules, 1961, namely:—

AMENDMENT

For the expression “Collector” wherever occurring in rules 14 and 15 the expression “Officer-in-Charge shall be substituted.

[ Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 6-6-66 ]

Panchayat and Development Department

Jaipur, August 5, 1966

Notification No. F. 4/LJ/3 (1)/66 10496.—In exercise of the powers conferred by Section 89 read with Section 19 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby makes the following further amendment to the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely:—

Amendment

In the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961 for the expression “Officer-in-charge of Panchayats” wherever occurring in Rules 14 and 15 the expression “Deputy District Development Officer” shall be substituted.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 5-8-66]

Panchayat & Development Department

Jaipur, December 22, 1966

Notification No. F. 4/L.J. 3 (1)/66/17/267.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (21 of 1953) the State Government hereby makes the following rules further to amend the Rajasthan Panchayat & Nyaya Panchayat (General) Rules, 1961; namely:—

1. Short title.—These rules may be called the Rajasthan Panchayat and Nyaya Panchayat General Amendment Rules, 1966:—

2. Amendment in Rules 10 & 13.—In the Rajasthan Panchayat & Nyaya Panchayat (General) Rules, 1961 in rules 10 and 13, for the word “Collector” wherever it occurs, the word ‘Deputy District Development Officer’ shall be substituted.

3. Amendment in Rule 12.—In the said Rules:—(a) for clause (4), (5) and (6) of Rule 12 the following shall be substituted:—

“(4) If thereafter the absentee fails to attend the fifth meeting of the Panchayat, the matter shall be placed before the Panchayat at that meeting and such Panchayat, if it is satisfied that the notice referred to in clause (1) and the notice of the date of the fifth meeting as aforesaid were duly served on the absentee, shall pass a resolution to the effect that the absentee has remained absent on five consecutive meetings and forward a copy of the resolution together with the record of notices of meetings issued to the absentee and any other papers that may be relevant, to the Deputy District Development Officer with its recommendation.

(5) On receipt of the record referred to in clause (4) the Deputy District Development Officer may upon perusing the record and considering the recommendation of the Panchayat and after making such further enquiry as he may consider necessary and after giving the absentee an opportunity of being heard, declare such seat to have become vacant or make such other order as he may think proper in the circumstances of the case.

(6) Copies of final orders made by the Deputy District Development Officer shall be sent to the Collector, and the Panchayat concerned”.

(b) clause [7] and [8] of Rule 12 shall be omitted and clause [9] shall be re-numbered as clause [7]: and

(c) in clause [7] so re-numbered, for the words ‘Sub-Divisional Officer’ the words ‘Deputy District Development Officer’ shall be substituted.



Panchayat & Development Department

Jaipur, January 27 1967.

Notification No. F. 4/LJ/4 (26)/62/1015. - In exercise of the powers conferred by section 89 read with section 64 of the Rajasthan Panchayat Act, 1953 (Act No. 21 of 1953) the State Government hereby makes the following amendment to the Rajasthan Panchayats & Nyaya Panchayats (General) Rules, 1961 namely:—

AMENDMENT

In rule 105 of the Rajasthan Panchayat and Nyaya Panchayat [General] Rules, 1961 after the expression "as the case may be" the fullstop should be substituted by a colon and the following expression shall be added, namely:—

Provided further that the Gram Panchayat may impose and recover octroi duty on goods imported for the purpose of processing by any industry located in the Panchayat Circle on agreed rates monthly subject, however, to the condition that the purpose of import is verified by the Director of Industries, Rajasthan.

Panchayat and Development Department

Jaipur, October 23, 1967.

Notification No. F. 4/LJ/3(1)/67/11279.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953) and of all other powers enabling it in this behalf, the State Government hereby makes the following rules further to amend the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely:—

1. Short title. —These rules may be called the Rajasthan Panchayat and Nyaya Panchayat (General) Amendment Rules, 1967.

2. Amendment of Rule 203.—In rule 203 of the Rajasthan Panchayat and Nyaya Panchayat (General) rules, 1961, for the figures "2.00", "2.00", "1.50", "0.75", "1.00", "0.75" and "0.25" appearing in column 2 "Charges per day" against Serial Nos. 2 to 9 the figures "4.00" "4.00", "2.50", "2.00", "1.50", "1.50", "1.00" and "1.00" shall be substituted respectively.

[Pub. in Raj Gaz-4(Ga)-Dt. 23-11-67-Page 837]

Panchayat & Development Department

Jaipur, November 4, 1967.

Notification No. F. 4/II/3 (1) 67/11676.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act No. 21 of 1953), the State Government hereby makes the following amendments in the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely:—

In the said Rules:—

1. In clause (i) of sub-rule (1) of rule 6 under the heading "Traveling allowance" the expression "Single Bus Fare", shall be substituted by the expression "Single Bus fare and incidental charges at the rate of 4 paise per mile subject to a maximum of Rs. 3/- per day".

2. After sub-rule (1) of rule 25 the following new sub-rule shall be added, namely:—

"(1A):—The pay of whole time class IV servants of a Panchayat or Nyaya Panchayat shall be in the time scale of 25-1-45".

3. For sub-heading 7 of chapter VI occurring before rule 125 the following sub-heading shall be substituted, namely:—

"(7) Recovery of fees and taxes".

4. After rule 134 the following new rule shall be inserted, namely:—

{1} "134A. *Recovery of taxes.*—(a) Taxes imposed by the Panchayat shall be recovered by the patwari who will be paid collection charges as may be determined by the State Government from time to time.

(b) The Panchayat shall communicate the current demand for the year alongwith arrears to the patwari in form No. 15A(I) in the month of April, separately for each tax.

(c) On receipt of this statement the patwari shall prepare a Demand Slip in duplicate in form No. 15A(II), sign it and issue one copy to the assessee. A separate Demand Slip shall be prepared for each Panchayat tax.

(d) If the assessee raises any objection, the patwari will refer the matter to the Panchayat for decision. On receipt of the decision the Patwari will modify the Demand slip if necessary.

(e) The patwari will issue a receipt in form No. 15A (III) for the amount realised by him. He will also mention the number and date of the receipt in the remarks column of his copy of the Demand Slip.

(f) The amount realised by the patwari shall be deposited by him every week in the Panchayat office alongwith a statement in duplicate in form 15A (IV) after deducting collection charges at the rates determined by the State Government. The Panchayat Secretary or any other person authorised by the Sarpanch shall check the statement and if found correct, he shall record on both copies of the statement in words and figures, the amount received under his dated signatures and also affix the seal of the Panchayat thereon. One copy of this statement shall be retained by the Panchayat office and the other copy shall be returned to the Patwari.

(g) The patwari will also maintain Demand and Collection Register in form No. 15A (V) for each Panchayat. A separate register or a separate portion of the register, will be used for each year. All the Panchayat taxes due from the assessee shall be entered at one place in this Register.

(2) In case the taxes are not recovered by the Patwari in accordance with sub-rule (1) above the same shall be recovered as arrears of land Revenue.

5. In clause (e) of rule 291 after the word "year" the "full stop" shall be deleted and the words and figure "or Rs. 5000/- whichever is less" shall be added.

## FORM No. 15A(I)

Statement of Demand for the period ending.....

Name of Panchayat.....Panchayat Samiti .....  
 District .....  
 Name of tax.....Rate of tax.....

Name of village	Name of assessee & father's name, occupation & address	Arrears	Current demand	Total	Remarks
1	2	3	4	5	6

Dated.....

(Signature of Sarpanch)

## FORM No. 15A (II)

## Demand Slip

Book No.

Sl. No.

Village .....Panchayat.....Panchayat Samiti .....  
 .....for the year..... District.....

## (COUNTER FOIL)

Date	Name of tax payer, father's name, occupation and address	Name of tax	DEMAND Arrears Current Total Demand	Remarks
------	--	-------------	--	---------

(Signature of Patwari.)

## FORM No. 15A (III)

## Receipt

Receipt Book No.....Sl. No.....  
 Village .. .....Panchayat .....Panchayat Samiti.....  
 District.....

Name of Depositor  
 (with father's name, occupation and address)

Date	Amount received with details		Reference of Demand Slip	
	Name of tax	Amount	No.	Dated
1	2	3	4	5

(Signature of Patwari)

Signature/T, I. of Tax payer,

## FORM No. 15A (1V)

## Statement of Recoveries

Book No .....

Sl. No.....

Panchayat ..... Panchayat Samiti ..... District ...

Name of village	Name of tax-payer, father's name, occupation and address	Name of Tax	Amount due		Remarks
			Arrears	Current Demand	
1	2	3	4	5	
Amount realised		Ref. of receipt	Patwari's	Net amount	Remarks
Arrears	Current Demand	issued by the Patwari to the tax-payer	remuneration at the rate of 2%	paid to the Panchayat	
		No. Date			
6	7	8 9	10	11	12

Received Rs..... Ps. only in cash

Signature of Sarpanch/Panchayat Secretary.

Dated

Entered in Cash Book at No.

Date .....

Signature of Patwari

Date .. .. .

## FORM No. 15A (V)

Register demand &amp; collection Register of Panchayat .....

For the Year....

S. No.	Name of village	Name, father's name, occupation and address of the assessee	Name of Tax	Arrears	Current Demand
1	2	3	4	5	6
Total	Ref. of Demand Slip	Amount paid		Total	Reference to receipt
	No. Date	Arrears	Current Demand	No.	Date,
7	8 9	10	11	12	13 14
Reference to Recovery Statement		Remarks			
No.	Date				
15	16	17			

*Notifications under*

**RAJASTHAN PANCHAYAT ACT, 1953.**

*Published in Raj. Raj-patra Dated December 26, 1953 part I at page 1042.*

Jaipur, December 24, 1953.

No. F. 1 (n) (64) L.S.G./53.—In exercise of the powers conferred by sub-section (3) of section I of the Rajasthan Panchayat Act, 1953, the Government of Rajasthan is pleased to order that the said Act shall come into force with effect from the 1st day of January, 1954.

*Published in Raj. Raj-patra Dated 30, January 16, 1954 part I at page 1081.*

Jaipur, January 6, 1954.

No. F. 1 (n) (64) L.S.G./53.—In exercise of the powers conferred by section 74 of the Rajasthan Panchayat Act, 1953, (No. XXI of 1953), the Government of Rajasthan is pleased to appoint Shri Hari Singh, R.A.S., to be Chief Panchayat Officer to discharge functions in regard to the administration of Panchayats.

*Published in Raj. Raj-patra Dated March 24, 1956 part I (b) at page 7190:*

Irrigation Department

**Order**

Jaipur February 21, 1956.

No. F. 1 (22) Irg./56.—His Highness the Raj-pramukh has been pleased to order that.—

(1) All tanks which irrigate 50 (fifty) acres or less should be handed over to village Panchayats. If water rate has been included in the Revenue assessment, collection should be made by the Revenue Agency. The Panchayat concerned, will, however, be given Re. 1/- per acre on the area irrigated from the tank and the area which is under cultivation in the tank bed, as maintenance charges, out of the collection made by the Revenue Agency.

(2) If water rate has not been included in the revenue assessment, the income from water rate will also be transferred to the Panchayat but payment of Re. 1/- per acre will not be made to the Panchayat in this case. The collection will be made by the Panchayat and it will be solely responsible to maintain the tank.

(3) A list of all such tanks villagewise and tehsilwise, which irrigate less than 50 acres will be prepared by the Sub-Divisional Officer after taking into consideration average irrigation of last five years and such tanks will be handed over to the village Panchayats. The list will be prepared by him latest by the end of March, 1956.

(4) Tanks which irrigate more than 50 acres will be maintained by the Irrigation Department.

By Order of

His Highness the Rajpramukh,

B. MEHTA,

Additional Chief Secretary.

*Notifications under*

**Rajasthan Panchayat Act, 1953.**

*Published in Raj. Raj-patra part VI (c) dated March 12, 1959 at page 244*

Local Self-Government 'A' Department.

**NOTIFICATION**

*Jaipur, February 2, 1959.*

No. F. 4 (1) L.S.G./A/59.—In exercise of the power conferred by section 88 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act XXI of 1953) and all other powers enabling him in this behalf, and in partial modification of this Department Notification No. F. 1 (d) (36) L.S.G./54, dated the 18th February, 1955, the Governor is pleased to withdraw, with immediate effect, the power to lease or sell Government owned lands in the abadi areas within their circles and limits from the Panchayats situated within the Bhakra Project area. The sale proceeds of such lands, after deducting the development charges, will be handed over to the Panchayat concerned by the Colonization Department.

By Order of the Governor,

B. SINCH,

*Secretary to the Government.*

*Published in Raj. Raj-patra part VI (c) dated August 14, 1959 at page 80*

Development Department (Panchayats)

**NOTIFICATION**

*Jaipur, July 18, 1959.*

No. F. 4 (23) L.S.G./A/59-49760.—In pursuance of section 74 of the Rajasthan Panchayat Act, 1953 (Act No. 21 of 1953) the State Government hereby appoints the Joint Development Commissioner (Panchayats) by virtue of his office as the Officer-in-charge of Panchayats for the purposes of the said Act.

This supersede this Department Notification No. F. 4 (23) L.S.G./A/59, dated the 20th May, 1959.

By Order of the Governor,

B. L. RAWAT,

*Additional Chief Secretary to*

*Government of Rajasthan.*

*Published in Raj. Raj-patra part IV (c) dated September 28, 1959 at page 561  
Jaipur, September 26, 1959.*

No F. 4 (138) LSG-A/58.—In exercise of the powers conferred by section 70 of the Rajasthan Panchayat Act, 1953 (Act No. XXI of 1953), the State Government hereby delegates the powers of the Officer-in-charge of Panchayats (designated as Joint Development Commissioner (Panchayats) under this Department Notification No. F. 4 (23) LSG/A/59-49760 dated the 18th July, 1959) in respect of the provisions of the aforesaid Act, specified in column (2), to the officer/authority specified in the corresponding entry in column (3) of the schedule below with immediate effect.

### SCHEDULE

S. No.	No. of section under which powers are delegated.	Officer/Authority to whom the powers are delegated.
1.	Section 5	Collector of a District in respect of his District.
2.	Section 18	Collector of a District in respect of his District.
3.	Sub-Section (3) of section 19	Collector of a District in respect of his District.
4.	Section 71	Panchayat Samiti in respect of the areas within its jurisdiction.
5.	Section 75	Collector of a District in respect of his District.

By Order of the Governor,  
B. L. RAWAT,  
*Additional Chief Secretary to the Government.*

*Published in Raj. Raj-patra part IV (c) dated December 6, 1959 at page 887.*

Development Department (Panchayats)

### NOTIFICATION

*Jaipur, November 16, 1959.*

No. F. 4 (134) LSG-A/58-73587.—In exercise of the powers conferred by section 70 of the Rajasthan Panchayat Act, 1953 (Act

No. XXI of 1953, the State Government hereby delegates the powers of the Officer-in-charge of Panchayats designated as Joint Development Commissioner (Panchayats) under this Department Notification No. F. 4 (23) LSG/A/59-49760 dated the 18th July, 1959 in respect of the provisions of the aforesaid Act, specified in column (2) to the Officer/Authority specified in the corresponding entry in column (3) of the Schedule below with the immediate effect:—

### SCHEDULE

S. No.	No. of section under which powers are delegated	Officer/Authority whom the powers are delegated
1.	Sub-Section (2) of Section 19	Collector of the District in respect of his District.
2.	Section 20	Collector of the District in respect of his District.

By Order of the Governor,  
G. K. BHANOT,

*Jt. Development Commissioner (Pts.)  
& Dy. Secretary to Government (Panchayats)  
Rajasthan Jaipur.*

*Published in Raj. Raj-patra part IV (c) dated April 22, 1960 at page 11.*

*Jaipur, April 22, 1960.*

No. F. 4 (LJ) 2 (9)-26691.—In pursuance of section 88 of the Rajasthan Panchayat Act, 1953 (Act No. 21 of 1953, the State Government hereby directs, that notwithstanding anything in clause (i) of the said section, no agricultural lands, forest lands and unculturable lands, (Not being Abadi land, as defined in clause (b) of section 103 of the Rajasthan Land Revenue Act, 1956), situated in a Panchayat circle, shall vest in or belong to the Panchayat of that circle or shall be under its direction, management and control.

By Order of the Governor,  
G. K. BHANOT,

*Deputy Secretary to the Government.  
(Panchayat Wing). Rajasthan, Jaipur.*



*Published in Raj. Raj-patra part IV (c) dated September 28, 1959 at page 561*

*Jaipur, September 26, 1959.*

*No F. 4 (138) LSG-A/58.*—In exercise of the powers conferred by section 70 of the Rajasthan Panchayat Act, 1953 (Act No. XXI of 1953), the State Government hereby delegates the powers of the Officer-in-charge of Panchayats (designated as Joint Development Commissioner (Panchayats) under this Department Notification No. F. 4 (23) LSG/A/59-49760 dated the 18th July, 1959) in respect of the provisions of the aforesaid Act, specified in column (2), to the officer/authority specified in the corresponding entry in column (3) of the schedule below with immediate effect.

### SCHEDULE

S. No.	No. of section under which powers are delegated.	Officer/Authority to whom the powers are delegated.
1.	Section 8	Collector of a District in respect of his District.
2.	Section 18	Collector of a District in respect of his District.
3.	Sub-Section (3) of section 19	Collector of a District in respect of his District.
4.	Section 71	Panchayat Samiti in respect of the areas within its jurisdiction.
5.	Section 75	Collector of a District in respect of his District.

By Order of the Governor,

B. L. RAWAT,

*Additional Chief Secretary to the Government.*

*Published in Raj. Raj-patra part IV (c) dated December 6, 1959 at page 887.*

Development Department (Panchayats)

### NOTIFICATION

*Jaipur, November 16, 1959.*

*No. F. 4 (134) LSG-A/58-73587.*—In exercise of the powers conferred by section 70 of the Rajasthan Panchayat Act, 1953 (Act

No. XXI of 1953, the State Government hereby delegates the powers of the Officer-in-charge of Panchayats designated as Joint Development Commissioner (Panchayats) under this Department Notification No. F. 4 (23) LSG/A/59-49760 dated the 18th July, 1959 in respect of the provisions of the aforesaid Act, specified in column (2) to the Officer/Authority specified in the corresponding entry in column (3) of the Schedule below with the immediate effect:—

### SCHEDULE

S. No.	No. of section under which powers are delegated	Officer/Authority whom the powers are delegated
1.	Sub-Section (2) of Section 19	Collector of the District in respect of his District.
2.	Section 20	Collector of the District in respect of his District.

By Order of the Governor,  
G. K. BHANOT,

*Jt. Development Commissioner (Pts.)  
& Dy. Secretary to Government (Panchayats)  
Rajasthan Jaipur.*

*Published in Raj. Raj-patra part IV (c) dated April 22, 1960 at page 11.*

*Jaipur, April 22, 1960.*

No. F. 4 (LJ) 2 (9)-26691.—In pursuance of section 88 of the Rajasthan Panchayat Act, 1953 (Act No. 21 of 1953, the State Government hereby directs, that notwithstanding anything in clause (i) of the said section, no agricultural lands, forest lands and unculturable lands, (Not being Abadi land, as defined in clause (b) of section 103 of the Rajasthan Land Revenue Act, 1956), situated in a Panchayat circle, shall vest in or belong to the Panchayat of that circle or shall be under its direction, management and control.

By Order of the Governor,  
G. K. BHANOT,

Deputy Secretary to the Government.  
(Panchayat Wing). Rajasthan, Jaipur.

*Published in Raj. Raj-patra part IV (c) dated August 24, 1960 at page 120*

## ORDER

*Jaipur, August 24, 1960.*

*No. F. 15 (1) Pts.*—In exercise of all the powers enabling it in this behalf, the State Government hereby appoints a Committee to be known as the Re-delimitation Committee consisting of the following officers for the purpose of re-delimitation of Panchayat Circles in the State, namely :—

- (1) The Chairman, Board of Revenue . . . *Chairman.*
- (2) The Development Commissioner . . . *Member.*
- (3) The Commissioner of the Division concerned *Member.*
- (4) The Jt. Development Commissioner (Panchayats)  
and ex-officio Dy Secretary to the Government *Member*  
*Secretary.*

All decisions of the Committee shall be taken by majority and in case of equality of votes, the Chairman shall have the second vote.

The Committee may, for the aforesaid purpose, make such enquiry as it may deem necessary.

All orders of the Committee regarding re-delimitation shall be authenticated under the signature of the Secretary of the Committee.

By Order,

B. L. RAWAT,

Add. Chief Secretary to the Government

*Published in Raj. Raj-patra part IV (c) dated August 24, 1960 at page 120*

## NOTIFICATION

*Jaipur, August 24, 1960.*

*No. F. 15 (1) Pts.*—In pursuance of the powers conferred by section 70 of the Rajasthan Panchayat Act 1953 (Rajasthan Act 21 of 1953) the State Government hereby delegates all of its powers under section 86 A of the said Act to the Re-delimitation Committee appointed by Government Order No. F. 15 (1) Pts. 53502-11 dated the 24th August, 1960, and consisting of the following :—

- (1) The Chairman, Board of Revenue . . . *Chairman.*
- (2) The Development Commissioner . . . *Member.*

(3) The Commissioner of Division concerned . . . *Member.*

(4) The Jt. Development Commissioner (Panchayats) and ex-officio Deputy Secretary to the Government *Member-Secretary.*

By Order of the Governor,  
B. L. RAWAT.

Add. Chief Secretary to the Government.

*Published in Raj. Raj-patra part VI (c) dated September 3, 1960 at page*

Panchayat & Development Department (Panchayat Wing)

### NOTIFICATION

*Jaipur, September 3, 1960.*

*No. F. 15 (1) Pts./56819.*—In exercise of the powers conferred by section 70 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby delegates all its powers under section 3, section 4 and sub-section (2) of section 87 of the said Act to the Re-delimitation Committee appointed by the Government under this Department Notification No.F.15(1) Pts., dated the 24th August, 1960, published in the official Gazette extraordinary dated the 24th August, 1960.

By Order of the Governor,  
G. K. BHANOT,  
Dy. Secretary to Government (Pts.)  
Rajasthan, Jaipur.

*Published in Raj. Raj-patra part IV (c) dated December 14, 1960 at page 303*

Panchayat & Development Department (Panchayat Wing)

### NOTIFICATIONS

*Jaipur, December 13, 1960.*

*No. F. 4 (23) L.S.G. A/59.*—In exercise of the powers conferred by sub-section (1) of section 7 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), as amended by section 2 (1) of the Rajasthan Panchayats, Panchayat Samitis and Zila Parishads (Amendment) Ordinance, 1960, the State Government hereby notifies the following dates for computing the term of the Panchayats specified against each :—

1. All Panchayats in Districts of Jaipur, Udaipur and Tonk. 15-12-1960.
2. All Panchayats in districts of Jhunjhunu, Bharatpur, Jalore, Barmer, Ganganagar, Chittorgarh, Jhalawar, Churu, Sirohi, Bhilwara, Dungarpur, Banswara, Pali, Jaisalmer, Kota, Bikaner, Alwar, Jodhpur, Ajmer, Sawai Madhopur, Bundi. 22-12-1960.
3. All Panchayats in districts of Nagaur and Sikar. 1-1-1961.

*Published in Raj. Raj-patra part IV (c) dated December 14, 1960 at page  
Jaipur, December 13, 1960.*

No. F. 15 (1)/Pts./60.—In supersession of this Department Notification No. F. 15 (1) /Pts/60, dated the 23rd November, 1960 and in exercise of the powers conferred by sub-section (2) of section 7 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby orders that the term of Panchayats as existing on the date of passing of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 or as established under sub-section (2) or section 3 of the Rajasthan Panchayat Act, 1953 before the 31st day of October, 1960 shall extend up to the day specified in column No. 3 of the schedule hereunder.

#### SCHEDULE

1. All such panchayats in districts of Jaipur, Udaipur and Tonk. 14-12-1960.
2. All such panchayats in districts of Jhunjhunu, Bharatpur, Jalore, Barmer, Ganganagar, Chittorgarh, Jhalawar, Churu, Sirohi, Bhilwara, Dungarpur, Banswara, Pali, Jaisalmer, Kota, Bikaner, Alwar, Jodhpur, Ajmer, Sawai Madhopur, Bundi. 21-12-1960.
3. All such Panchayats in districts of Nagaur and Sikar. 31-12-1960.

## Notifications under

### RAJASTHAN PANCHAYAT ACT, 1953

Notification No. F. 4/LJ 2/12/62/4636—In exercise of the powers conferred by section 70 of the Rajasthan Panchayat Act, 1953 (Act No. XXI of 1953) the State Government hereby delegates the powers exercisable by it specified in column (2) to the authority specified in corresponding entry in column (3) of the Schedule below:—

#### SCHEDULE

S.No.	Provision of Act	Authority to whom the powers are delegated
1	2	3
1.	Section 17 (4-A) in so far it relates to the suspension of Panchas.	Collector of the District concerned.

(Published in Rajasthan Gazette-(Panchayat and Development Department)  
dated 25-4-1963 Part IV (Ga)-Page 24)

Panchayat & Development Department  
Jaipur, June 2, 1967

Notification No. F. 4/LJ/3 (2)/67/5511 —In exercise of the powers conferred by Section 70 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act No. XXI of 1953) the State Government hereby delegates the powers exercisable by it under Section 17 (1) of the said Act so far as it relates to the declaration of the seat of any Panch to have become vacant, to the Collector of the district concerned,

[Pub. in Raj. Gaz. 4 (Ga) Dated 22-6-67 page 267]

Panchayat & Development Department  
Jaipur, July 22, 1967

Notification No. F. 4/LJ/3 (2)/67/7661.—In exercise of the powers conferred by section 70 of the Rajasthan Panchayat Act 1953, (Rajasthan Act No. XXI of 1953), the State Government hereby delegates the powers exercisable by the officer-in-charge of Panchayats under clause (v) (c) of sub-section (1) of section 15A of the said Act to a Collector in the district.

[Pub. in Raj. Gaz. 4 (Ga)—Dt 24-8-67 Page 611]

Panchayat & Development Department  
Jaipur, January 20, 1965

Notification No. F.4/LJ/2 (2) 63/2957-3253.—In exercise of the powers conferred by sub-section (1) of section 7 of the Rajasthan Panchayat

Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby notifies 21st day of January, 1965 for computing the term of all Panchayats in Rajasthan.

[Pub in Raj Gaz. Ex. 4 (Ga) Dt. 20-1-65 Page 669]

Panchayat & Development Department

Jaipur, August, 31, 1967

Notification No. F. 4/LJ/PD/2/67/9524.—In exercise of the powers conferred by the proviso to sub-section (1) of section 7 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby extends the term of office of all the Panchayats in the State of Rajasthan for a period of one year from the 21st January, 1968 to the 20th January, 1969.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 1-9-67 Page 499]

Panchayat & Development Department

Jaipur, February 4, 1967

Notification No. F. 4/LJ/2/(15)/65/1385.—Whereas the State government is of the opinion that there should be a uniform octroi duty on country liquor in all such Panchayat Circle of the State within which it is brought for consumption or use;

Now, therefore, in exercise of the powers conferred by sub-section (4) read with clause (f) of sub-section (1) of section 64 of the Rajasthan Panchayat Act, 1953 (Act No. 21 of 1953) the State Government hereby directs that every Panchayat in Rajasthan, within whose Jurisdiction country liquor is brought for consumption or use shall impose in the prescribed manner, octroi duty on such import at the rate of two per cent of the cost with effect from the 1st day of April, 1967.

[Pub. in Raj Gaz. 4 (Ga)—Dt. 31-2-67—Page 909]

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*Rules and Notifications under*

PANCHAYAT ( AMENDMENT ) ACT, 1960.  
( RAJ. ACT No. 25 OF 1960 )

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*Notifications under*

**Rajasthan Panchayat (Amendment) Act, 1960  
(Act No. 25 of 1960)**

*Published in Raj. Raj-patra part IV (c) dated August 23, 1960 at page 116*

Finance and Development Department  
( Panchayat Wing )

**NOTIFICATION**

Jaipur August 24, 1960.

*No. F. 4 (23) LSG-A/59/52589.*—In exercise of the powers conferred by sub-section (2) of section 1 of the Rajasthan Panchayat (Amendment) Act, 1960 (Act No 25 of 1960), the State Government hereby appoints the following dates for the coming into force of the provisions of the Act specified against each:—

**PART-I.**

*Date*

*Provision*

Date of publication of  
this notification in  
the official Gazette

Section-I.

Clause (c) of Section 2 (Amendment of  
Section 2 of the Principal Act).

”

Section 3 (Amendment of Section 3 of  
the Principal Act).

”

Clause (b) of Section 4 (Amendment of  
Section 7 of the Principal Act).

”

Section 5

(Insertion of new Section 7-A in the  
Principal Act).

”

Section-6

(Substitution of new Section for Section  
9 of the Principal Act).

”

Section-7

(Insertion of new Section 9-A in the  
Principal Act).

Date of publication of this notification in the official Gazette	Section-8 (Substitution of new Section for Section 10 of the Principal Act).
"	Section-9 (Insertion of new Section 15-A in the Principal Act).
"	Section-11 (Amendment of Section 21 of the Principal Act).
"	Section-12 (Insertion of new Section 22-A in the Principal Act).
"	Section-13 (Substitution of new Section for Section 24 of the Principal Act).
"	Section-14 (Substitution of new Section for Section 25 of the Principal Act).
"	Section-15 (Amendment of Section 26 of the Principal Act).
"	Section-16 (Amendment of Section 26-A of the Principal Act).
"	Section-17 (Insertion of new Section 27-A in the Principal Act).
"	Section-19 (Sections 27-B and 27-C) (Insertion of new Sections 27-B and 27-C in Chapter IV of the Principal Act).
"	Section-44 (Amendment of Section 64 of the Principal Act).
"	Section-45 (Insertion of new Section 64-B in the Principal Act).

*Date*

*Provision*

Date of publication of this notification in the official Gazette.	Section-46 (Amendment of Section 65 of the Principal Act).
”	Section-47 (Insertion of new Sections 65 B and 65 C in the Principal Act).
”	Section-48 (Insertion of new Section 66-A in the Principal Act).
”	Section-49 (Substitution of new Section for Section 67 of the Principal Act).
”	Section-51 (Substitution of new Section for Section 70 of the Principal Act).
”	Section-52 (Amendment of Section 70 A of the Principal Act).
”	Section-53 (Amendment of Sections 71 and 72 of the Principal Act).
”	Section-54 (Substitution of new Section for Section 73 of the Principal Act).
”	Section-55 (Amendment of Section 75 of the Principal Act).
”	Section-56 (Omission of Section 76 of the Principal Act).
”	Clauses (a), (c) and (e) of Section 57 (Amendment of Section 77 of the Principal Act).
”	Section-59 (Insertion of new Section 78 A in the Principal Act).

Date of publication of this notification in the official Gazette	Section-8 (Substitution of new Section for Section 10 of the Principal Act).
”	Section-9 (Insertion of new Section 15-A in the Principal Act).
”	Section-11 (Amendment of Section 21 of the Principal Act).
”	Section-12 (Insertion of new Section 22-A in the Principal Act).
”	Section-13 (Substitution of new Section for Section 24 of the Principal Act).
”	Section-14 (Substitution of new Section for Section 25 of the Principal Act).
”	Section-15 (Amendment of Section 26 of the Principal Act).
”	Section-16 (Amendment of Section 26-A of the Principal Act).
”	Section-17 (Insertion of new Section 27-A in the Principal Act).
”	Section-19 (Sections 27-B and 27-C) (Insertion of new Sections 27-B and 27-C in Chapter IV of the Principal Act).
”	Section-44 (Amendment of Section 64 of the Principal Act).
”	Section-45 (Insertion of new Section 64-B in the Principal Act).

*Date*

*Provision*

Date of publication of this notification in the official Gazette.	Section-46 (Amendment of Section 65 of the Principal Act).
”	Section-47 (Insertion of new Sections 65 B and 65 C in the Principal Act).
”	Section-48 (Insertion of new Section 66-A in the Principal Act).
”	Section-49 (Substitution of new Section for Section 67 of the Principal Act).
”	Section-51 (Substitution of new Section for Section 70 of the Principal Act).
”	Section-52 (Amendment of Section 70 A of the Principal Act).
”	Section-53 (Amendment of Sections 71 and 72 of the Principal Act).
”	Section-54 (Substitution of new Section for Section 73 of the Principal Act).
”	Section-55 (Amendment of Section 75 of the Principal Act).
”	Section-56 (Omission of Section 76 of the Principal Act).
”	Clauses (a), (c) and (e) of Section 57 (Amendment of Section 77 of the Principal Act).
”	Section-59 (Insertion of new Section 78 A in the Principal Act).

<i>Date</i>	<i>Provision</i>
Date of publication of this notification in the official Gazette.	(Sub-Clause (ii) of clause (b) of section 63. (Amendment of Section 86 of the Principal Act).
"	Section-64 (Insertion of new Section 86-A in the Principal Act.)
"	Section-65 (Substitution of new Section 88 of the Principal Act).
"	Section-66 (Amendment of Section 89 of the Principal Act).
"	Section-67 (Insertion of new Sections 92 A and 92 B in the Principal Act).
"	Section-69 (Addition of new Schedule in the Principal Act).

## PART II.

<i>Date</i>	<i>Provision.</i>
1st December, 1960.	Clause (a), (b), (d) and (e) of Section 2 (Amendment of Section 2 of the Principal Act).
"	Clause (a) of Section 4 (Amendment of Section 7 of the Principal Act).
"	Section-10 (Amendment of Section 16 of the Principal Act).
"	Section-18 (Substitution of heading of Chapter IV of the Principal Act).
"	Section-19 (Sections 27-D to 27-H) (Insertion of new Sections 27-D to 27-H in Chapter IV of the Principal Act.)

1st December, 1960.

- Section-20  
(Amendment of Section 28 of the Principal Act).
- ” Section-21  
(Amendment of Section 29 of the Principal Act) .
- ” Section-22  
(Substitution of new Section for Section 30 of the Principal Act).
- ” Section-23  
(Amendment of Sections of 31, 32, 33, 34 and 35 of the Principal Act).
- ” Section-24  
(Amendment of Section 36 of the Principal Act).
- ” Section-25  
(Amendment of Section 37 of the Principal Act).
- ” Section-26  
(Amendment of Section 38 of the Principal Act).
- ” Section-27  
(Amendment of Section 39 of the Principal Act).
- ” Section-28  
(Amendment of Sections 40, 41, 42, 43 and 44 of the Principal Act).
- ” Section-29  
(Amendment of Section 45 of the Principal Act).
- ” Section-30  
(Amendment of Section 46 of the Principal Act).
- ” Section-31  
(Amendment of Section 47 and 48 of the Principal Act).
- ” Section-32  
(Insertion of new Section 48 A in the Principal Act).

*Date**Provision*

1st December, 1960.

Section—33

(Amendment of Sections 49 to 53 of the Principal Act).

”

Section—34

(Omission of Section 54 of the Principal Act).

”

Section—35

(Amendment of Section 55 of the Principal Act).

”

Section—36

(Amendment of Section 56 of the Principal Act).

”

Section—37

(Omission of Section 57 of the Principal Act).

”

Section—38

(Omission of Section 58 of the Principal Act).

”

Section—39

(Substitution of new Section 59 for Section 59 of the Principal Act).

”

Section—40

(Amendment of Section 60 of the Principal Act).

”

Section—41

(Amendment of Section 61 of the Principal Act)

”

Section—42

(Amendment of Section 62 of the Principal Act).

”

Section—43

(Amendment of Section 63 of the Principal Act).

”

Section—50

(Amendment of Section 69 of the Principal Act).

Clauses (b) and (d) and Section 57 (Amend-



ment of Section 77 of the Principal Act).

Section-58

(Amendment of Section 78 of the Principal Act).

”

Section-60

(Amendment of Section 79 of the Principal Act).

”

Section-61

(Amendment of Section 81 of the Principal Act).

”

Section-62

(Amendment of Section 83 of the Principal Act).

”

Clauses (a) and (b) (i) of Section 63 (Amendment of Section 86 of the Principal Act).

Section-68

(Amendment of the First Schedule to the Principal Act).

”

Section-70

(Amendment of Rajasthan Act 37 of 1959)

By Order of the Governor,

B. L. RAWAT,

Add. Chief Secretary to the Government.

*Published in Raj. Raj-patra part IV (a) dated December 16, 1960 at page 213*

Law and Judicial (A) Department

CORRIGENDUM

*Jaipur, December 14, 1960.*

No. F. 4 (16)-LJ/A/60.—In the Rajasthan Panchayat (Amendment) Act, 1960 (No. 25 of 1960). published in Rajasthan Gazette. Part IV-A, Extraordinary dated 24th August, 1960 for the words “such disputes” appearing in clause (xxxviii) newly inserted by section 66(1) (xvi) of the said Act, please read “election and co-option disputes”.

D. C. SHARMA.

Secretary to the Government.

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*Rules and Notifications under*

RAJASTHAN PANCHAYAT LAWS  
( AMENDMENTS ) ACT, 1964

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*Notification under*

**RAJ. PANCHAYAT LAWS (AMENDMENT) ACT, 1964**

**Panchayat & Development Department**

**Jaipur, December 10. 1964.**

**Notification No. F. 4/LJ/PS/64/576.**—In exercise of the powers conferred by sub-section (2) section 1 of the Rajasthan Panchayat Laws (Amendment) Act, 1964 (Rajasthan Act No. 32 of 1964), the State Government hereby appoints 10th December, 1964 as the date on which the said Act shall come in to force.

**[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 10-12-64 Page 535]**

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*Rules and Notifications under*

PANCHAYAT SAMITIS & ZILA PARISHAD ACT, 1959.  
( RAJ. ACT No. 37 OF 1959 ).

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# The Raj. Panchayat Samitis (Co-option of Members) Rules, 1959

[ Notification No. F. 45 (173) (93) Co-ord /DD/ 59, dated 10-9-59 published in Rajasthan Gazette, Extraordinary Part IV-C, dated 10-9-59 ]

In exercise of the powers conferred by sub-sec. (1) of sec. 79 read with sub-sec. (2) of sec. 8 of the Rajasthan Panchayat Samitis & Zila Parishads Act, 1959 (Act No. XXXVII of 1959), the State Government, hereby makes the following Rules namely:—

1. *Short title and commencement.*—(1) These Rules may be called the Rajasthan Panchayat Samitis (Co-option of Members) Rules, 1959, and shall come into force on the date of their publication in the Official Gazette.

2. *Definition.*—In these Rules, unless the context otherwise requires—

(i) 'Act' means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. XXXVII of 1959).

(ii) 'Member' means persons specified in clauses (i), (ii) and (iii-a) of sub-sec. (3) of sec 8 of the Rajasthan Panchayat Samitis and Zila Parishad Act, 1959;

(iii) 'Section' means section of the Rajasthan Panchayat Samitis and Zila Parishad Act, 1959;

(iv) 'Returning Officer' means the Collector and includes an Additional Collector or any other subordinate gazetted officer.

(iv-a) 'Class of persons' means class of persons as specified in sub-sec. (2) of sec 8.

(v) Words and expressions used but not defined, in these Rules shall have the meanings assigned to them in the Act;

2-A. *Determination of number of each class of persons to be co-opted.*—As soon as a notification constituting a Panchayat Samiti under sec. 7 of the Act has been issued, and on every occasion when a Panchayat Samiti is reconstituted, the Collector shall, in the manner herein provided determine the number of persons to be co-opted under each of clauses of sub-sec. (2) of sec. 8:

(ii) In determining the matters referred to in clause (i) of sub-sec (2) of sec. 8, the Collector shall have regard to the following provisions—

(a) the population figures as at the last census of the Gramdan Villages in the block shall be the basis for the purpose ;

(b) all units into which the Gramdan village or group of Gramdan villages may be required to be divided shall, as far as practicable, consist of geographical compact areas and in demarcating them regard shall be had to physical features, existing boundaries of administrative units, facilities of communication and public convenience.

(iii) The Collector shall send his proposal in respect of the determination of number under clause (i) of sub-sec. (2) of sec 8 to the Presidents of the Gram Sabhas of Gramdan villages situated in the block and consider all objections and suggestions which may be received by him before the date that may have been specified by him and for the purpose of such consideration may hold one or more meetings and there after determine the matters.

(iv) The Collector shall cause the units formed and the number of persons determined for co-option published by affixing a copy of the same on the notice board of the office of the Panchayat Samiti and by sending a copy to each of the Presidents of the said Gram Sabhas under certificate of posting or in the manner he deems proper.

(v) The Collector shall send to the Returning Officer a copy of his order made under clause (iv) along with a list of names of Presidents of Gram Sabha in each unit.

**3. Notice for special meeting for co option.**—(1) As soon as a notification constituting a Zila Parishad under sec. 42 of the Act has been issued and on every occasion when the Zila Parishad is to be re-constituted, the Collector shall first determine the number of persons to be co-opted under each of the clauses of sub-sec (4) of sec 42.

(1-A) As soon as the number of each class of persons to be co-opted is determined under sub-rule (1), the Collector shall on a date previously to the date appointed for constitution of Zila Parishad, convene at the office of the Zila Parishad at the appointed time, a special meeting of the members after

giving them a notice in writing of not less than 7 clear days for the co-option of the members so determined.

(2) The Notice referred to in sub-rule (1) shall State—

- (i) the number of each class of persons to be co-opted from amongst persons mentioned in sub-sec. (4) of sec. 42.
- (ii) the place and date on which and the hours between which the nomination papers shall be filed.
- (iii) the place and date on which, and the hours between which the nomination papers will be taken up for scrutiny, and
- (iv) the place and date on which, and the hours between which the votes of the members will be taken, should there be a poll.

(3) Such notice shall be sent by post or by such other mode as the (Collector) may consider expedient to every member at his ordinary place of residence.

*Explanation*—If any member can not be served with a notice personally and is not found at his ordinary place of residence shall be pasted at some conspicuous place of his house and such substituted service shall be deemed to be sufficient for the purpose of this rule.

(4) Such notice shall be published by affixing it on the Notice Board of the Panchayat Samiti at its office.

*4. Returning Officer to preside over meeting for co-option*—The meeting for co-option of members shall be presided over by the Returning Officer.

*5. Filling of nomination papers.*—(1) The nomination of every candidate shall be made by means of a nomination paper in the form prescribed in Schedule 1.

(2) Every nomination paper shall be signed by two members as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for co-option.

Each candidate shall be nominated by a separate nomination paper.

(4) Every nomination paper shall be presented by the candidate in person on the date, at the place and during the hours specified in the notice for filling nomination papers.

(5) On receiving a nomination paper, the Returning Officer shall satisfy himself that the names and numbers of the

voters list of the candidate as entered in the nomination paper are the same as those entered in the voters lists :

Provided that the Returning Officer shall permit any clerical or technical error in the nomination paper in regard to the said names or numbers to be corrected in order to bring them into conformity with the corresponding entries in the voter list, and where necessary, direct that any clerical or printing error in the said entries shall be overlooked.

(6) Where the candidate is a member of Gram Sabha, a certificate to that effect signed by the President of such Gram Sabha or the Tehsildar of the Tehsil in which the Gramdan village concerned is situated shall be filed along with his nomination paper.

(7) Immediately after the time for receipt of nomination papers is over, the Returning Officer shall cause to be published a list, in the form prescribed in Schedule II, containing the names of the candidates whose nomination have been received under the preceding sub rule.

**6. Scrutiny of nomination papers.**—(1) On the date appointed for the scrutiny of nominations, the candidate, his proposer and seconder may attend at such place and time as is specified in the notice for the scrutiny of nomination papers and the Returning Officer shall give such persons all reasonable facilities to examine the nomination papers of all the candidates which have been received as aforesaid.

(2) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made at the time to any nomination and may, either on such objection, or his own motion and, after such summary enquiry, if any, as he may deem necessary, reject any nomination on any one or more of the following grounds:—

- (a) that the candidate is not eligible for co-option under section 8,
- (b) that the candidate suffers from any of the disqualifications mentioned in section 47 of the Act, or
- (c) that the proposer or seconder is a person who is not a member.
- (d) that there has been a failure to comply with the provisions of rule 5.

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer seconder, or any



other particulars relating to the candidate or his proposer or seconder if the identity of the candidate, proposer or seconder, as the case may be, can otherwise be established beyond reasonable doubt.

(3) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected, shall record in writing, a brief statement of reasons for such rejection.

**7 Publication of the list of nominated candidates**—The Returning Officer shall before the time fixed for the meeting for co-option cause to be published a list containing the names of the validly nominated candidates in the form prescribed in Schedule III by affixing it on the Notice Board of the Panchayat Samiti at its office.

**8 Withdrawal of candidature**—A candidate may withdraw his candidature any time before the hour fixed for the commencement of the poll by giving a notice in writing to that effect to the Returning Officer.

**9 Procedure after publication of the list of validly nominated candidates**—(1) If the number of the candidates for each class of persons is equal to the number of vacancies, the Returning Officer shall declare all such candidates duly elected as co-opted members.

(2) If the number of such candidates is less than the number of vacancies, the Returning Officer shall declare all such candidates duly elected as co-opted members and shall adjourn the meeting to another date not less than seven days after such meeting to fill up the remaining vacancies.

(3) If the number of candidates exceeds the number of persons to be co-opted, an election shall be held by secret ballot and votes of the members present at the meeting shall be taken.

**10 Procedure for adjournment of meetings for co-option for want of quorum etc** (1) If for want of necessary quorum or for any other sufficient reason, the members fail to co-opt the persons specified in sub-sec (4) of sec. 42 the Returning Officer shall adjourn the same to another date not less than seven days after such meeting.

(2) One third of the total number of members shall form the quorum of a meeting for co-option.

(3) A notice of the date fixed for the adjourned meeting shall be affixed on the Notice Board of the Panchayat Samiti at its office and shall be despatched by post individually to

the members specified in clauses (i), (ii) and (iii-a) of sub-section (1) of sec. 8 under a certificate of posting.

(4) Immediately after adjournment of the previous meeting under the preceding sub-rule and upon such despatch, the notice shall be regarded as having been served on the members within the ordinary course of post.

**11 Voting and result of election:—**(1) The Returning Officer shall cause such arrangements to be made as will ensure the secrecy of the ballot.

(1-A) The Collector shall cause to be prepared a list of all members who are entitled to vote at such co-option and shall furnish it to the Returning Officer, he shall also furnish such other articles to the Returning Officer, as may be necessary for holding such co-option.

(1-B) The ballot paper shall be in form prescribed in Schedule IV and the Returning Officer shall cause to be prepared in the manner specified in the succeeding sub-rule as many sets of sufficient number of ballot papers as there are classes of persons for whom co-option is to be contested and each such ballot paper shall be authenticated by his seal or signatures.

(1-C) The names of duly nominated candidates who have not withdrawn their candidature shall be printed, typed, cyclostyled or legibly written in Hindi in Devnagri script in the alphabetical order of their names.

(2) The ballot paper shall be in the form prescribed Schedule IV and the Returning Officer shall cause to be prepared in the manners specified in succeeding rule as many sets of sufficient number of ballot papers as there are classes of persons for which co-option is being held and each such ballot paper shall be authenticated by seal or signature of the Returning Officer.

(2-A) The names of duly nominated candidates who have not withdrawn their candidature shall be printed, typed, cyclostyled or legibly written in Hindi Devnagri script on the ballot paper in the alphabetical order of their names.

(2-B) Every member wishing to vote shall be supplied with as many ballot papers as there are classes of persons to be co-opted and a mark shall be placed against the name of such member in the list referred to in sub-rule 1(a).

(3) The voter shall place a cross mark (x) in column 2 of the ballot paper against the name or names of as many

candidates as there are vacancies to be filled in each class of persons with a pencil of any colour, red or blue or black whichever is placed in the polling compartment and may be available at the polling station.

[Provided that if a voter is illiterate or by reason of infirmity is unable to vote in the above manner, the Returning Officer shall, at the request of such voter, make the marks on the ballot papers according to the directions of such voters and shall cause the ballot papers so marked to be placed in the ballot box].

(4) He shall then fold up the ballot paper so as to conceal his vote and deposit the same in a ballot box placed in the view of the Returning Officer.

(5) The ballot box shall also be so constructed that the ballot papers can be introduced therein but cannot be withdrawn therefrom without the box being unlocked.

(6) Every person wishing to record his vote shall do so in person and not by proxy.

(7) The Returning Officer shall, after the voting is over, count the votes, separately for each class of persons in the presence of such members as may be present and declare the result in the following manner:—

(a) The candidate who is found to have obtained the largest number of valid votes, or if more than one is to be co-opted, the candidates up to the number of persons to be co-opted who are found to have obtained the largest number of valid votes shall be declared to have been co-opted.

(b) In the event of there being an equality of votes between the candidates the Returning Officer shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected as co-opted member.

**12. Validity of ballot papers:—**Any ballot paper which bears any mark or any signature of any voting member by which the voter can be identified or in which the mark (x) if placed against more than the number of vacancies or in an ambiguous manner which is a spurious ballot paper.

**13. Preparation of record of proceedings and publication of result of election:—**Immediately after the meeting for co-option, the Returning Officer shall—

(a) prepare a record of the proceedings at the meeting

and sign it, attesting with his initials every correction made therein, and also permit any member present at the meeting to affix his signature to such record, if he expresses his desire to do so;

- (b) publish on the Notice Board of the Panchayat Samiti at its office a notification signed by him, stating the names of the persons elected as co-opted members and send a copy of such notification to the Collector, and the Government.

**14. Packing and preservation of election record.**—(1) The Returning officer shall make up into separate bundles and forward them to the Collector—

- (i) such of the ballot papers as have been accepted valid,
- (ii) the remaining ballot papers which have been rejected as invalid, and
- (iii) all other record including nomination papers etc.

(2) He shall then make up the above three bundles into one packet and seal the packet noting thereon the description of the contents, the election to which they relate and the date thereof.

(3) The packets shall be retained in safe custody in the office of the Collector concerned for a period of three years and shall then, unless otherwise directed by a competent court, be destroyed.

**14-A. Production and inspection of election papers.**—While in the custody of the Collector, the packets of co-option papers shall not be opened and their contents shall not be inspected by, or produced before, any person or authority except under the orders of a competent court.

**15. Filling up of vacanceis.** (1) A casual vacancy occurring any class of persons shall be filled by co-opting another persons of the same class and the foregoing rules will apply as far as may be :

Provided that meeting for such co-option shall be convened and presided over by the Pradhan or in his absence by the Up-Pradhan, within a month of occurrence of the vacancy failing which the Collector shall, on being apprised of the vacancy and such failure by the Vikas Adhikari convene for the purpose a special meeting of members.

(2) The term of the office of members so co-opted shall be the residue of the term of Panchayat Samiti

(3) If the Panchavāt Samiti fails to fill up the casual

vacancy, the State Government shall fill up the vacancy by nomination under sec. 11.

## SCHEDULE I

[ See sub-rule (1) of rule 5 ]

### Nomination Paper

Election of Co-opted Member to Panchayat Samiti ... ..  
.....for class of persons mentioned in clause..... of sub-sec.  
(2) of sec. 8 of the Rajasthan Panchayat Samitis and Zila  
Parishads Act, 1959.

1. Description of the class of persons to be co-opted.
2. Full-name and address of the Candidate.
3. Father's or Husband's name.
4. Caste or Tribe (In case of Scheduled Caste or Scheduled Tribe persons).
5. Age.
6. Sex
7. Description of entry in the voters list —
  - (a) Name of the Panchayat.
  - (b) Number of the Ward.
  - (c) Number of entry.

The name of Gram Sabha of which he is the member.

8. Full name and address of the Proposer.

9. Full name and address of Secunder.

1. Signature of the Proposer.
2. Signature of the Secunder.

Date.

Date.

Place.

Place.

### Candidate's declaration

I, the abovenamed candidate, give my consent to this nomination and hereby declare that I do not hold any of the disqualifications enumerated in sec. 15 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959, and that I am qualified to be a candidate for co-option to the Panchayat Samiti under the provisions of the said Act.

Date.

Place.

Sinnature of the candidate.

### Endorsement By The Returning Officer

Serial Number.

This nomination paper was presented to me by.....  
(Name) at .....(date and hour .

Date.

Place.

Signature of the Returning  
Officer

and sign it, attesting with his initials every correction made therein, and also permit any member present at the meeting to affix his signature to such record, if he expresses his desire to do so;

- (b) publish on the Notice Board of the Panchayat Samiti at its office a notification signed by him, stating the names of the persons elected as co-opted members and send a copy of such notification to the Collector and the Government.

**14. Packing and preservation of election record.**—(1) The Returning officer shall make up into separate bundles and forward them to the Collector—

- (i) such of the ballot papers as have been accepted valid,
- (ii) the remaining ballot papers which have been rejected as invalid, and
- (iii) all other record including nomination papers etc.

(2) He shall then make up the above three bundles into one packet and seal the packet noting thereon the description of the contents, the election to which they relate and the date thereof.

(3) The packets shall be retained in safe custody in the office of the Collector concerned for a period of three years and shall then, unless otherwise directed by a competent court, be destroyed.

**14-A. Production and inspection of election papers.**—While in the custody of the Collector, the packets of co-option papers shall not be opened and their contents shall not be inspected by, or produced before, any person or authority except under the orders of a competent court.

**15. Filling up of vacanceis.** (1) A casual vacancy occurring any class of persons shall be filled by co-opting another persons of the same class and the foregoing rules will apply as far as may be :

Provided that meeting for such co-option shall be convened and presided over by the Pradhan or in his absence by the Up-Pradhan, within a month of occurrence of the vacancy failing which the Collector shall, on being apprised of the vacancy and such failure by the Vikas Adhikari convene for the purpose a special meeting of members.

(2) The term of the office of members so co-opted shall be the residue of the term of Panchayat Samiti

(3) If the Panchayat Samiti fails to fill up the casual

vacancy, the State Government shall fill up the vacancy by nomination under sec. 11.

### SCHEDULE I

[ See sub-rule (1) of rule 5 ]

#### Nomination Paper

Election of Co-opted Member to Panchayat Samiti ...  
.....for class of persons mentioned in clause..... of sub-sec.  
(2) of sec. 8 of the Rajasthan Panchayat Samitis and Zila  
Parishads Act, 1959.

1. Description of the class of persons to be co-opted.
2. Full name and address of the Candidate.
3. Father's or Husband's name.
4. Caste or Tribe (In case of Scheduled Caste or Scheduled Tribe persons).
5. Age.
6. Sex
7. Description of entry in the voters list —
  - (a) Name of the Panchayat.
  - (b) Number of the Ward.
  - (c) Number of entry.

The name of Gram Sabha of which he is the member.

8. Full name and address of the Proposer.

9. Full name and address of Secunder.

1. Signature of the Proposer.
2. Signature of the Secunder.

Date.

Date.

Place.

Place.

#### Candidate's declaration

I, the abovenamed candidate, give my consent to this nomination and hereby declare that I do not hold any of the disqualifications enumerated in sec. 15 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959, and that I am qualified to be a candidate for co-option to the Panchayat Samiti under the provisions of the said Act.

Date.

Place.

Signature of the candidate.

#### Endorsement By The Returning Officer

Serial Number.

This nomination paper was presented to me by.....  
(Name) at .....(date and hour).

Date.

Place.

Signature of the Returning  
Officer

**Order of The Returning Officer.**

Accepted/Rejected.....Reasons for rejection .. ..  
 Date, Signature of the Returning  
 Place, Officer

Received nomination paper of Shri .....election as  
 a co-opted member of.....Panchayat Samiti, proposed and  
 seconded by (1)....and (2).....respectively which was  
 presented to me at .....(place) at.....(time).....  
 this .....day of.... 196..... by Shri.....

Date, Signature of the Returning  
 Place, Officer."

**SCHEDULE II**

[ See sub-rule (7) of rule 5 ]

List of candidates proposed for election as co-opted  
 members of Panchayat Samiti ... ..

Class of persons under co-option.	Sl. No.	Name and address of the candidate	Remarks.
1	2	3	4

Place.  
Date.

Signature of the Returning  
Officer."

**"SCHEDULE III**

[ See rule 7 ]

List of candidates validly nominated for elections as  
 co-opted members of a Panchayat Samiti—

Class of persons under co-option	S. No.	Name and description of the candidate	Address	Remarks
1	2	3	4	5

1.  
2.  
3.  
4.  
etc.

Place.  
Date

Signature of the Returning  
Officer."



SCHEDULE IV

[ See sub-rule (2) of rule 11 ]

Ballot Paper

Panchayat Samiti.....

Description of class of persons.....

Seal or Signature of Returning Officer.

Name of candidate	For Mark (x) by Voter

# THE RAJASTHAN PANCHAYAT SAMITIS & ZILA PARISHADS [Election of Up-Pradhan & Up-Pramukh] RULES, 1959

[Notification No. F. 45 (173)(72) Co-ord./D D. 159 dated 10-9-1959; Published in Rajasthan Gazette, Extraordinary, Part IV-C, dated 10-9-1959.]

In exercise of the powers conferred by sub-sec. (1) of sec. 79 read with sec. 12<sup>1</sup> [and section 45] of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. XXXVII of 1959), the State Government hereby makes the following Rules, namely—

**Short title and commencement.**—These Rules may be called the Rajasthan Panchayat Samitis and Zila Parishads (Election of Up-Pradhan and Up-Pramukh) Rules, 1959. <sup>1</sup>[They shall come into force from the date of their publication in the Official Gazette.]

## PART I

**1. Definition.**—In these Rules, unless context otherwise requires—

- (i) 'Act' means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. XXXVII of 1959),
- (ii) 'Section' means a section of the Act,
- (iii) 'Returning Officer' means,—
  - (a) Pradhan of a Panchayat Samiti in respect of election of an Up-Pradhan of Panchayat Samiti.
  - (b) Pramukh of Zila Parishad in respect of election of an Up-Pramukh of Zila Parishad.
- (iv) "Members" means, in case of election of Up-Pradhan, the members of the Panchayat Samiti entitled to vote in the election of Up-Pradhan and in the case of election of Up-Pramukh, the members of Zila Parishad entitled to vote in the election of Up-Pramukh.
- (v) Words and expressions used but not defined in these Rules shall have the meanings assigned to them in the Act.

## PART II

**2. Meeting for election of Up-Pradhan.**—The election of Up-Pradhan of a Panchayat Samiti shall be held in the office of the Panchayat Samiti at a meeting to be convened and presided over by the Pradhan.

3. *Notice of meeting.*—(1) Not less than seven clear days before the day fixed for the meeting referred to in rule 2, the Pradhan shall give notice of the date and hour of such meeting to the members of the Panchayat Samiti.)

The said notice shall state :

- (a) the place and date on which and the hours between which the nomination papers shall be filed,
- (b) the place and date on which and the hours between which the nomination papers will be taken up for scrutiny, and
- (c) the place and date on which and the hours between which the votes of the members will be taken, should there be a poll.

(2) The notice shall be sent by post or by such other mode as the Returning Officer may consider expedient, to every member of the Panchayat Samiti at his ordinary place of residence. Such notice shall be published by affixing it on the Notice Board of the Panchayat Samiti at its office.

4. *Filing of nomination paper.*—(1) The nomination of every candidate shall be made by means of a nomination paper in the form prescribed in Schedule I.

(2) Every nomination paper shall be signed by two members as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election.

(3) Each candidate shall be nominated by a separate nomination paper.

(4) Every nomination paper shall be presented by the candidate or his proposer or seconder on the date, at the place and during the hours specified in the notice for filing nomination papers.

(5) Immediately after the time for receipt of nomination papers is over, the Returning officer shall cause to be published a list, in the form prescribed in Schedule II, containing the name of the candidates whose nomination have been received under the preceding sub-rule.

5. *Scrutiny of nomination papers.*—(1) On the date appointed for the scrutiny of nominations, the candidate, his proposer and seconder may attend at such place and time as is specified in the Notice for the scrutiny of nomination papers and the Returning Officer shall give such persons all reasonable facilities to examine the nomination papers of all the candidates which have been received as aforesaid.

The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made at the

time to any nomination and may, either on such objection, or on his own motion and after such summary enquiry, if any, as he may deem necessary, reject any nomination on any one or more of the following grounds:—

- (a) that the candidate is not eligible for election as Up-Pradhan under the provisions of the Act,
- (b) that the candidate suffers from any of the disqualifications mentioned in section 15 of the Act.
- (c) that the proposer or seconder is a person who is not a member of the Panchayat Samiti:

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder, or of any other particulars relating to the candidate or his proposer or seconder, as the case may be, can otherwise be established beyond reasonable doubt.

(3) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected, shall record in writing, a brief statement of reasons for such rejection.

**6. Publication of the list of nominated candidates.**—The Returning Officer shall before the time fixed for the meeting for election cause to be published a list containing the names of the validly nominated candidates in the form prescribed in Schedule III by affixing it on the Notice Board of the Panchayat Samiti at its office.

**7. Withdrawal of candidature.**—(1) A candidate may withdraw his candidature any time before the hour fixed for the commencement of the poll by giving a notice in writing to that effect to the Returning Officer.

(2) The signature of the candidate on the notice referred to in Sub-rule (1) shall be attested by Pradhan or a Gazetted Officer of the State Government.

**8. Procedure after publication of the list of validly nominated candidates.**—(1) If there is only one duly nominated candidate there shall be no poll and the candidate so nominated shall be declared to have been duly elected.

(2) If there are two or more such candidates, an election shall be held by secret ballot and votes of the members present at the meeting shall be taken.

**9. Voting and result of Election.**—(1) The Returning Officer shall cause such arrangements to be made as will ensure the secrecy of the ballot.

(2) Every member wishing to vote shall be supplied with a ballot paper on which names of duly nominated candidates who have not withdrawn their candidature shall be printed typed, cyclostyled or legibly written in Hindi in the alphabetical order of their names in the form prescribed in Schedule IV.

(3) The voter shall place a cross mark (x) in column 2 of the ballot paper, duly authenticated by seal and signatures of the Returning Officer against the name of the candidate for whom he wishes to vote with a pencil of any coloured, blue or black whichever is placed in the polling compartment and may be available at the polling station:

Provided that if a voter is illiterate, or by reason of infirmity, is unable to vote in the above manner, the Returning Officer shall, at the request of such voter make the marks on the ballot papers according to the directions of such voter and shall cause the ballot papers so marked to be placed in the ballot box.

(4) He shall then fold up the ballot paper so as to conceal his vote and deposit the same in a ballot box placed in the view of the Returning Officer.

(5) The ballot box shall be so constructed that the ballot papers can be introduced therein but cannot be withdrawn therefrom without the box being unlocked.

(6) Every person wishing to record his vote shall do so in person and not by proxy.

(7) The Returning Officer shall after the voting is over,—

(a) count the votes in the presence of such members as may be present and declare the candidate securing the largest number of valid votes to have been elected,

(b) in the event of there being an equality of votes between the candidates, the Returning Officer shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

10. *Validity of the ballot paper.*—Any ballot paper which bears any mark or signature of any of the voting member by which the voter can be identified or on which the mark (x) is placed against more than one name or in an ambiguous manner or which does not bear the official seal and signatures prescribed in sub-rule (3) of rule 9 shall be invalid.

11. *Preparation of record of proceedings and publication of result of election.*—Immediately after the meeting for election the Returning Officer shall—

(a) prepare a record of the proceedings at the meeting and sign it, attesting with his initials every correction made therein

and also permit any member present at the meeting to affix his signature to such record, if he expresses his desire to do so;

(b) publish on the Notice Board of the Panchayat Samiti at its office a notification signed by him stating the names of the person elected as Up-Pradhan and send a copy of such notification to the Superintendent, Government Central Press Jaipur for publication in the Official Gazette and to the Collector concerned and the State Government.

12. *Packing and preservation of election record.*—The Returning Officer shall then make up into packets the ballot papers and other papers relating to the election, seal up the packets and note thereon a description of the contents, the election to which they relate and the date therefor and send them to the Collector of the district.

(2) The packets shall be retained in safe custody in the office of the Collector concerned for a period of three years and shall then, unless otherwise directed by Competent Court, be destroyed.

### PART III

#### ELECTION OF AN UP-PRAMUKH OF A ZILA PARISHAD

13. *Election of an Up-Pramukh of a Zila Parishad.*—(1) The Pramukh as Returning Officer shall conduct the election of Up-Pramukh in the manner provided for in rules 3 to 12 of Part II by convening a meeting for the purpose.

(2) The above provisions shall apply to the election of an Up-Pramukh of a Zila Parishad subject to the following adaptation namely—

The references therein to the “Panchayat Samiti” and ‘Up-Pradhan’ wherever they occur shall be construed to be references to the ‘Zila Parishad’ and Up-Pramukh’ respectively.

14. *Filling up of vacancies.*—Any vacancy in the office of an Up Pradhan, and Up-Pramukh shall be filled in accordance with the provisions of the foregoing rules.

### SCHEDULE I

(See Sub-rule (1) of rule 4)

Nomination Form for the election as Up-Pradhan of Panchayat Samiti/Up-Pramukh of Zila Parishad

1. Name of the Panchayat Samiti/Zila Parishad;
2. Full name of the candidate.
3. Father's or Husband's name.
4. Age.
5. Sex.

6. Address.

7. Full name and address of the proposer.

8. Full name and address of the seconder.

1. Signature

2. Signature

of the proposer.

of the seconder

Date.

Date.

Place.

Place.

### Candidate's declaration

I, the above named candidate, give my consent to this nomination.

Date.

Signature

Place.

of the candidate.

### Endorsement by the Returning Officer

Serial Number.

This nomination paper was presented to me by.....  
(name)..... at (date and hour).

Date.

Signature of the

Place.

Returning Officer.

### ORDER OF THE RETURNING OFFICER

Accepted/Rejected.....

Reasons for rejection.....

Date.

Signature of the

Place.

Returning Officer.

Received nomination paper of Shri/Shrimati.....  
for election as Up-Pradhan/Up-Pramukh for Panchayat Samiti/  
Zila Parishads proposed and seconded by (1).....  
and (2) .....respectively which was presented to me  
at ..... (place) at ..... (time) the day of.....19....  
by Shri.....

Signature of the

Returning Officer.

### SCHEDULE II

(Sub-rule (5) of rule 4 of the Rajasthan Panchayat Samitis and Zila Parishads Election of Up-Pradhan and Up-Pramukh Rules, 1959).

List of candidates proposed for nomination of election as  
Up-Pradhan/Up-Pramukh of Panchayat Samiti/Zila Parishad ....

S. No.	Name & Description of candidate	Address of candidate.	Remarks.
1.			
2.			
3.			
4.			
5.			
6.			

Date.  
Place.

Signature of the  
Returning Officer.

### SCHEDULE III

*(Rule 6 of the Rajasthan Panchayat Samiti and Zila Parishads Election of Up-Pradhan, and Up-Pramukh Rules, 1959).*

List of candidates validly nominated for election as Up-Pradhan/Up-Pramukh of Panchayat Samiti/Zila Parishad.....

S No.	Name & description of candidate	Address of candidate	Remarks
1.			
2.			
3.			
4.			
5.			
6.			

Date.  
Place.

Signature of the  
Returning Officer.

### SCHEDULE IV

*(Sub-rule (2) of the Rule 9 of the Rajasthan Panchayat Samitis and Zila Parishads Election of Up-Pradhan and Up-Pramukh Rules, 1959)*

### BALLOT PAPER

Panchayat Samiti/Zila Parishad .....

Signature and seal  
of the Returning Officer.

Serial Number	Name of the candidate with the name of father or husband and residence.	For Mark (x) by voter
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		



# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (ELECTION PETITION) RULES, 1959

[Notification No. F.45(173)(110)(Co-ord.)/DD/59, dated 22-9-59, published in Rajasthan Gazettee, Extraordinary, Part IV-C, dated 22-9-59]

In exercise of the powers conferred by section 13 and sub-section (5) of section 45 read with sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following rules, namely.

1. *Short title and commencement.* — These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads (Election Petition) Rules, 1959, and shall come into force from the date of their publication in the Official Gazette.

2. *Definitions*—In these rules unless the context otherwise requires—

(1) “Act” means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959);

(2) “Candidate” means a person who has been nominated as a candidate at any co-option of members or at any election of Pradhan, Up-Pradhan, Pramukh or Up-Pramukh, as the case may be, and includes a person, who when an election or co-option is in contemplation, holds himself out as a prospective candidate thereat and is subsequently nominated as a candidate at such election or co-option.

(3) “Electoral Rights” means the right of a person to stand or not to stand as, or to withdraw from being, a candidate or to vote or refrain from voting at an election or co-option.

(4) “Judge” means:—

(a) The District Judge sitting at the place where the principal office of the Panchayat Samiti or Zila Parishad, as the case may be, is situated, or

(b) where there is no such District Judge, the Civil Judge so sitting, or

(c) where there is no such Civil Judge also, any other Judge of Civil Court specially empowered in this behalf by the District Judge having jurisdiction.

(5) “Member” means a member of Panchayat Samiti/Zila Parishad;

(6) "Pradhan" means Pradhan of a Panchayat Samiti;

(7) "Pramukh" means Pramukh of a Zila Parishad;

(8) "Up-Pradhan" means Up-Pradhan of a Panchayat Samiti;

(9) Up-Pramukh" means Up-Pramukh of a Zila Parishad;

(10) Words and expressions used but not defined in these rules shall have the meaning assigned to them in the Act.

### 3. *Grounds on which election may be called in question—*

The election of a Pradhan, Up-Pradhan, Pramukh or Up-Pramukh may be questioned by any member of the Panchayat Samiti or the Zila Parishad, as the case may be, by an election petition on one or more of the following grounds, namely—

(a) that such person had committed during or in respect of the election proceedings a corrupt practice as specified in rule 4;

(b) that such person was declared to be elected by reason of the improper rejection or admission of any nomination or for any other reason was not duly elected by a majority of lawful votes; or

(c) that such person was disqualified for election as Pradhan, Up-Pradhan, Pramukh or Up-Pramukh, as the case may be, under the provisions of the Act,

(d) that the result of the election, in so far it concerns returned candidate, has been materially affected—

(i) by the improper reception, refusal or rejection of any vote or the reception of any vote which is void, or

(ii) by any non-compliance with the provisions of the Act or any rules made thereunder.

4. *Corrupt practices.*—The following shall be deemed to be corrupt practices for the purpose of an election of Pradhan, Up-Pradhan, Pramukh or Up-Pramukh, as the case may be, namely—

(1) Bribery, that is to say, any gift, offer or promise by a candidate or by any other person on his behalf of any gratification to any person whomsoever, with the object, directly or indirectly, of inducing—

(a) a person to stand or not to stand as, or to withdraw from being, a candidate, or

(b) an elector to vote or refrain from voting at such election.

or as a reward to—

(i) a person for having so stood or not stood, or for having withdrawn his candidature; or

(ii) an elector for having voted or refrained from voting,

*Explanation.*—For the purposes of this clause, the term “gratification” is not restricted to pecuniary gratification estimable in money, and it includes all forms of entertainment and all forms of employment for reward; but it does not include the payment of any expenses bonafide incurred at, for the purpose of, such election.

(2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of a candidate or any other person on his behalf, with the free exercise of any electoral right :

Provided that—

(a) without prejudice to the generality of the provisions of this clause any such person as is referred to therein who—

(i) threatens any candidate, or any elector, or any person in whom a candidate or an elector is interested, with injury of any kind including social ostracism and excommunication or of expulsion from any caste or community; or

(ii) induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested, will become or will be rendered in object of divine displeasure or spiritual censure;

shall be deemed to interfere with the free exercise of the electoral right of such candidate or elector within the meaning of this clause;

(b) a declaration of public policy, or a promise of public action or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this clause.

(3) The systematic appeal by a candidate or by any other person on his behalf to vote or refrain from voting on grounds of caste, race, community or religion or the use of, or appeal to, religious symbols or the use of, or appeal to national symbols, such as, the national flag or the national emblem, for the furtherance of the prospects of that candidate's election.

(4) The publication by a candidate or by any other person on his behalf of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal or retirement from contest of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.

(5) The hiring or procuring, whether on payment or otherwise, of any vehicle or vessel by a candidate or by any other person on his behalf for the conveyance of any elector (other than the candidate himself, any member of his family), to or from any polling station or place fixed for the poll :

Provided that the hiring of a vehicle or vessel by an elector or by several electors at their joint cost for the purpose of conveying him or them to or from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause if the vehicle or vessel so hired is a vehicle or vessel not propelled by mechanical power :

Provided further that the use of any public transport vehicle or railway carriage by any elector at his own cost for the purpose of going or coming from any such polling station or place shall not be deemed to be a corrupt practice under this clause.

*Explanation.*—In this clause the expression “vehicle” means any vehicle used or capable of being used for the purpose of road transport whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise.

(6) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or by any other person on his behalf any assistance (other than the giving of vote) for the furtherance of the prospects of the candidate's election from any of the following classes, namely:—

- (a) Gazetted officer ;
- (b) stipendiary judges and magistrates ;
- (c) members of the armed forces of the Union;
- (d) members of the police force ;
- (e) excise officers ;
- (f) revenue officers including village accountants such as Patwaries and the like but excluding other village officers.

*5. Form and presentation of petitions.*—(1) The petition shall be presented to the Judge within 30 days after the day on which the result of the election is announced and shall specify the ground or grounds on which the election of the respondent is questioned and shall briefly describe the circumstances which may justify the election being questioned on such grounds. Every petition shall be accompanied by a treasury challan of Rupees Two Hundred and Fifty.

(2) The petition may be presented to the Judge by any member of the Panchayat Samiti or Zila Parishad, as the case may be.

(3) The person whose election is questioned, and where the petition claims that any other candidate shall be declared in place of such person, every unsuccessful candidate who has polled more votes than such candidate, shall be made a respondent to the petition.

*6. Rights of candidates whose election is questioned*—Every respondent may defend his election on any ground on which it may be open to him legally to do so and give evidence to prove that any person in respect of whom a claim is made that such person be declared elected in his place or in priority to him, should not be declared so elected in the same manner as if he had presented a petition against the election of such person.

*7. Procedure.*—Except in so far as may be inconsistent or otherwise provided by the Act or any rule made thereunder, the procedure provided in the Code of Civil Procedure, 1908, in regard to suits, shall in so far as it can be made applicable, be followed in the hearing of election petition.

Provided that :

(a) any two or more election petitions relating to the election of the same person may be heard together;

(b) the Judge shall not be required to record the evidence in full but shall make a memorandum of evidence sufficient in his opinion for the purpose of deciding the case;

(c) the Judge may, at any stage of the proceedings, require the petitioner to give further security for the payment of the costs incurred or likely to be incurred by any respondent;

(d) the Judge, for the purpose of deciding any issue, shall only be bound to require the production of, or to receive, so much evidence, oral or documentary, as he considers necessary ;

(e) there shall be no appeal either on a question of law or fact, and no application in revision against or in respect of the decision of the Judge; and

(f) no witness or other person shall be required to state for whom he has voted at an election.

*8. Powers of the Judge hearing petition.*—(1) The Judge hearing an election petition shall have the same powers and privileges as a Judge of a Civil Court when trying a suit and may, for the purpose of serving any notice or issuing any process or doing any other such thing, employ any officer, clerk, or peon attached to his Court.

(2) Any order as to costs passed by the Judge shall be executed by him on application made in that behalf in the same.

manner and by the same procedure as if it were a decree for the payment of money made by himself in a suit.

9. *Findings of the Judge.*—(1) If the Judge, after making such enquiry as he deems necessary, finds in respect of any person whose election is called in question by a petition, that his election was valid, it shall dismiss the petition as against such person and may award costs at his discretion.

(2) If the Judge finds that election of any person was invalid, he shall either—

(a) declare a casual vacancy to have been created, or

(b) declare another candidate to have been duly elected, whichever course appears, in the particular circumstances of the case, the more appropriate, and in either case may award costs at his discretion.

(3) In the event of the Judge declaring a casual vacancy to have been created, he shall direct

(a) the Collector in case the petition was against an election of Pradhan of a Panchayat Samiti, or

(b) the Pradhan in case the petition was against an election of Up-Pradhan of a Panchayat Samiti,

(c) the Collector in case the petition was against the election of Pramukh of a Zila Parishad, and

(d) the Pramukh in case the petition was against the election of Up-Pramukh of Zila Parishad, to take proceedings for filling the vacancy.

Notwithstanding any thing contained in the preceding rule, if the Judge in the course of hearing an election petition, is of the opinion that the evidence disclosed that corrupt practices have prevailed at the election proceedings in question to such an extent as to render it advisable to set aside the whole proceedings, he shall pass an order to this effect and shall direct the concerned authorities to take measures for holding fresh election proceedings.

*Explanation.*—In this rule the expression “election proceedings in question” and the whole “whole proceedings” shall include all proceedings in respect of election of Pradhan, Up-Pradhan, Pramukh or Up-Pramukh, as the case may be (inclusive of nomination and declaration of the result of election.)

10. *Disputes as to Co option etc.*—The provisions of rules 3 to 9 shall mutatis mutandis apply to the co-option of a member of a Panchayat Samiti under sec. 11 or sec. 18 or to the election or co-option of a member or Chairman of Standing Committee of a Panchayat Samiti under sec. 26 and the co-option of a member of a Zila Parishad under section 44 or clause (iv) of sub-section (2) of section 46.

Provided that the election petition under this rule may also be presented by any candidate at such co-option.

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (ELECTION OF MEMBERS OF STANDING COMMITTEE) RULES, 1959

[Notification No. F. 45 (173)(184) (Co-ord.). DD/59/1961, dated 25-9-59, published in Raj. Gaz. Ex. Ord. IV-C, dated 25-9-59]

In exercise of the powers conferred by sub-sec. (1) of sec. 79 read with sub-sec. (3) of sec. 20 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following rules namely:—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Panchayat Samitis (Election of Members of Standing Committee) Rules, 1959.

(2) They shall come into force from the date of their publication in the official Gazette.

2. *Definition*—In these rules, unless the context otherwise requires—

(1) “Act” means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959).

(2) “Clear Days” include Sundays and Holidays but does not include the day of the meeting and the day of the receipt of the notice by the person to whom it is addressed.

(3) “Panchayat Samiti” means a Panchayat Samiti constituted under the Act.

(4) “Pradhan” means a Pradhan of a Panchayat Samiti.

(5) “Standing Committee” means a Standing Committee of a Panchayat Samiti constituted under sub-sec. (7) or sub-sec. (2) of sec. 20 of the Act.

3. *Meeting for election of members of a Standing Committee.*—(1) The election of members of Standing Committee shall be held in the office of the Panchayat Samiti at a meeting to be convened by the Pradhan.

(2) Such meeting shall be presided by the Pradhan in case he is not standing as a candidate for the election of a member of a Standing Committee.

(3) In case the Pradhan intends to stand as a candidate for election as a member of a Standing Committee, a meeting of the Panchayat Samiti shall be called by the Pradhan, after

giving notice of four clear days, for electing one of the members of the Panchayat Samiti not standing as a candidate for the election as a member of a Standing Committee to conduct the election of members of the Standing Committee.

(4) At such meeting, election shall be by majority of votes of the members present by show of hands and the member so elected shall be referred to as the 'Presiding member'.

(5) If a meeting for election of the members of a Standing Committee is not convened by the Pradhan under sub-rule (1) and the Standing Committee is not constituted within a period of three months from the date of the constitution or re-constitution of the Panchayat Samiti, the Collector of the District shall convene a meeting of the members of the Panchayat Samiti for such election. The Collector or the person, appointed by him in this behalf, shall preside over such meeting and exercise all the functions of the Pradhan under these rules for constituting the Standing Committee, but he shall not have power to vote.

4. *Notice of the meeting for election.*—(1) A notice of the date and hour of such meeting shall be given to the members of a Panchayat Samiti other than its associate members of not less than seven clear days previous to the day of the meeting.

(2) Such notice shall state:—

- (a) the place and date on which and the hours between which the nomination papers shall be filed,
- (b) the place and date on which and the hours between which the nomination papers will be taken up for scrutiny,
- (c) the place and date on which and the hours between which the votes of the members will be taken, should there be a poll.

(3) The notice shall be sent by post or by such other mode as the Pradhan/Presiding Member may consider expedient, to every member of the Panchayat Samiti other than its associate members at his ordinary place of residence.

(4) Such notice shall be published by affixing it on the notice board of the Panchayat Samiti at its office.

5. *Filing of nomination paper.*—(1) The nomination of every candidate shall be made by means of a nomination paper in the form prescribed in Schedule I,

(2) Every nomination paper shall be signed by two members of the Panchayat Samiti as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election.



(3) Each candidate shall be nominated by a separate nomination paper.

(4) Every nomination paper shall be presented to the Pradhan/Presiding member by the candidate or his proposer or seconder on the date, at the place and during the hours specified in the notice for filing nomination papers.

(5) Immediately after the time for receipt of nomination papers is over, the Pradhan/Presiding member shall cause to be published a list, in the form prescribed in Schedule II, containing the names of the candidates whose nominations have been received under the preceding sub-rule by affixing it on the Notice Board of the Panchayat Samiti at its office.

6. *Scrutiny of nomination papers.*—(1) On the date appointed for the scrutiny of nominations, the candidate, his proposer and seconder may attend at such place and time as is specified in the notice for the scrutiny of nomination papers and the Pradhan/Presiding member shall give such persons all reasonable facilities to examine the nomination papers of all the candidates which have been received as aforesaid.

(2) The Pradhan/Presiding member shall then examine the nomination papers and shall decide all objections which may be made at the time to any nomination and may, either on such objection, or on his own motion and, after such summary enquiry, if any, as he may deem necessary, reject any nomination on the ground that the proposer or seconder is a person who is not a member of a Panchayat Samiti or that the candidate suffers from disqualification mentioned in sec. 20 of being already a member of any other standing committee :

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder or of any other particular relating to the candidate or his proposer or seconder, if the identity of the candidate, proposer or seconder as the case may be, can otherwise be established beyond reasonable doubt.

(3) The Pradhan/Presiding member shall endorse on each nomination paper his decision accepting or rejecting the same and if, the nomination paper is rejected, shall record in writing a brief statement of reasons for such rejection.

(4) The decision of the Pradhan/Presiding member under sub-rule (2) shall be final.

7. *Publication of the list of nominated candidates.*—The Pradhan/Presiding member shall before the time of the meeting for election cause to be published a list containing the

names of the validly nominated candidates in the form prescribed in Schedule III by affixing it on the Notice Board of the Panchayat Samiti at its office.

8. *Withdrawal of candidature.*—A candidate may withdraw his candidature any time before the commencement of the poll by giving a notice in writing to that effect to the Pradhan/Presiding member.

9. *Procedure after publication of the list of validly nominated candidates.*—(1) If the number of the candidates is equal to the number of vacancies, the Pradhan/Presiding member shall declare all such candidate duly elected.

(2) If the number of the candidates is less than the number of the vacancies the Pradhan/Presiding member shall declare all such candidates duly elected and shall adjourn the meeting for election to another date to fill up the remaining vacancies in accordance with the procedure prescribed in these rules.

(3) If the number of the candidates exceeds the numbers of the members to be elected, an election shall be held by secret ballot and the votes of the members present at the meeting shall be taken.

10. *Voting and result of election.*—The Pradhan/Presiding member shall cause such arrangements to be made as will ensure the secrecy of the ballot.

(2) Every member wishing to vote shall be supplied with a ballot paper on which names of duly nominated candidates who have not withdrawn their candidature shall be printed, typed, cyclostyled or legibly written in Hindi in the alphabetical order of their names in the form prescribed in Schedule IV.

(3) The voter shall place a cross (X) in column (3) of the ballot paper, duly authenticated by seal and signatures of the Pradhan/Presiding member, against the name of the candidates for whom he wishes to vote with a red, blue or ordinary pencil :

Provided that if a voter is illiterate, or by reason of infirmity, is unable to vote in the above manner, the Pradhan/Presiding member shall, at the request of such voter, make the marks on the ballot paper according to the directions of such voter and shall cause the ballot paper so marked to be placed in ballot box.

(4) He shall then fold up the ballot paper so as to conceal his vote and deposit the same in a ballot box placed in the view of the Pradhan/Presiding member.

(5) The ballot box shall be so constructed that the ballot papers can be introduced therein but cannot be withdrawn therefrom without the box being unlocked.

(6) Every person wishing to record his vote shall do so in person and not by proxy.

(7) The Pradhan/Presiding member shall, after the voting is over—

(a) count the votes in the presence of such members of the Panchayat Samiti as may be present and declare the candidates up to the number of the vacancies who are found to have secured the largest number of valid votes to have been duly elected,

(b) in the event of there being an equality of votes between the candidates, the Pradhan/Presiding member shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

10. *A. Continuance in more than one standing committee.*—A member who is elected to two or more standing committees shall immediately within three days of the declaration of the result inform the chairman, the name of the standing committee on which he elects to continue and shall resign from the other standing committee failing which he shall be deemed to have vacated his membership from all the standing committees to which he has been elected.

11. *Validity of the ballot paper.*—Any ballot paper which bears any mark or signature of any of the voting member by which the voter can be identified or on which the mark ( x ) is placed against more candidates than the number of vacancies or all the marks are placed in an ambiguous manner or which does not bear the official seal and signatures of the Pradhan/Presiding member shall be invalid.

12. *Preparation of record of proceeding and publication of result of election.*—Immediately after the meeting for election, the Pradhan/Presiding member shall—

(a) prepare a record of the proceedings at the meeting and sign it, attesting his initials every correction made therein, and also permit any member of the Panchayat Samiti present at the meeting to affix his signatures to such record, if he expresses his desire to do so;

(b) publish on the Notice Board of the Panchayat Samiti at its office a notification signed by him stating names of the persons elected as members of the particular Standing Committee and send a copy of such notification to the Collector concerned and the State Government.

13. *Packing and preservation of election record.*—(1) The Pradhan/Presiding member shall then make up into a packet the ballot papers and other papers relating to the election, seal

up the packet and note thereon a description of the contents, the election to which it relates and the date therefor.

(2) The packet shall be retained in safe custody in the office of the Collector concerned for a period of three years and shall then unless otherwise directed by a competent court, be destroyed.

14. *Resignation by a member of a Standing Committee*—Any member of a Standing Committee may resign his office as such member by giving notice in writing to the Vikas Adhikari. Such notice shall be attested by a Gazetted Officer of the Government and shall be handed over personally to the Vikas Adhikari. Resignation so tendered shall take effect on and from the date on which it is handed over to the Vikas Adhikari.

15. *Procedure for filling up Vacancies*—Any vacancy caused by resignation, retirement, removal, death or otherwise of any member of a Standing Committee, shall be filled up in accordance with the provisions contained in the foregoing rules for the election of members of a Standing Committee.

*Proviso*—Provided that if no meeting is convened by the Pradhan for election to fill up such vacancy within a period of one month from the date of occurrence thereof, the Collector shall convene a meeting of the members of the Panchayat Samiti for such election and the Collector or the person, appointed by him in this behalf shall preside over such meeting and exercise all the powers of the Pradhan under these Rules for the filling up such vacancy, but he shall not be entitled to vote thereat.

## SCHEDULE No. I

(Sub rule (1) of Rule 5 of the Rajasthan Panchayat Samitis (Election of members of Standing Committee) Rules, 1959]

### Nomination Form for Election of Member of a Standing Committee of a Panchayat Samiti

1. Name of the Panchayat Samiti.
2. Description of the Standing Committee.
3. Full name of the candidate.
4. Father's or husband's name.
5. Age.
6. Sex.
7. Address.
8. Full name and address of the proposer.
9. Full name and address of the Seconder.

1. Signature  
of the proposer.  
Date.  
Place.

2. Signature  
of the seconder.  
Date.  
Place.

### Candidate's declaration

I, the above named candidate, give my consent to this nomination.

Place.  
Date.

Signature  
of the candidate.

### Endorsement by the Pradhan/Presiding member.

Serial Number.

This nomination paper was presented to me by.....  
(name) at ..... (date and hour).

Date.  
Place

Signature of the  
Pradhan/Presiding member.

### Order of the Pradhan/Presiding member

Accepted/Rejected .....  
Reasons for rejection .....

Signature of the  
Pradhan/Presiding member.

Received nomination paper of Shri/Shrimati.....  
for election as a member of ..... Standing Committee of  
..... Panchayat Samiti. proposed and seconded by  
(1) ..... and (2) ..... respectively which  
was presented to me at ..... (Place) at ..... (time)  
this ..... day of ..... 19 ..... by Shri .....

Signature of the  
Pradhan/Presiding member.

## SCHEDULE II

[ Sub-rule (5) of the rule 5 of the Rajasthan Panchayat Samitis  
(Election of members of Standing Committee) Rules, 1959]

List of candidates proposed for nomination of election as  
members of ..... Standing Committee of.....  
Panchayat Samiti.

S. No.	Name and description of candidate.	Address of candidate.	Remarks-
1.			
2.			
3.			
4.			
5.			
6.			

## SCHEDULE III

[Rule 7 of the Rajasthan Panchayat Samitis (Election of Members of Standing Committee) Rules, 1959]

List of candidates validly nominated for election as members of ..... Standing Committee of ..... Panchayat Samiti.

S.No.	Name and description of candidate.	Address	Remarks.
1	2	3	4
1.			
2.			
3.			
4.			
5.			
6.			
Date.		Signature of the	
Place.		Pradhan/Presiding member.	

## SCHEDULE IV

[Sub-Rule (2) of Rule (10) of the Rajasthan Panchayat Samitis (Election of members of Standing Committee) Rules, 1959]

## BALLOT PAPER

For election of members of the ..... Standing Committee of the ..... Panchayat Samiti.

Signature and seal of the Pradhan/Presiding member.

S.No.	Name of the candidate with the name of father or husband and residence.	Mark (x) by voter.
1	2	3
1.....		
2.....		
3.....		
4.....		
5.....		
6.....		
7.....		
8.....		
9.....		
10.....		

# The Raj. Panchayat Samitis & Zila Parishads (Co-option of Members of Standing Committee) Rules, 1959

[Notification No. F. 45 (173) (184) (Co-ord) DD/59, (1961) dated 12-9 1959, published in Rajasthan Gazette, Extra ordinary, Part IV-C, dated 12-9-1959.]

In exercise of the powers conferred by sub-section (1) of section 79 read with clause (ii) of the proviso to sub-section (3) of section 20 of the Rajasthan Panchayat Samitis and Zila Parishad Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following rules, namely :—

1. *Short title and commencement.*—These rules may be called the Rajasthan Panchayat Samitis (Co-option of Members of Standing Committee) Rules, 1959.

(2) They shall come into force on the date of their publication in the official Gazette

2. *Definitions*—In these rules, unless the context otherwise requires—

(1) “Act” means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959).

(2) “Clear days” include Sundays and holidays but does not include the day of the meeting and the day of the receipt of the notice by the person to whom it is addressed.

(3) “Member” means the member of a Panchayat Samiti other than an associate member.

(4) “Panchayat Samiti” means a Panchayat Samiti constituted under Act.

(5) “Pradhan” means the Pradhan of a Panchayat Samiti.

(6) “Standing Committee” means a Standing Committee of a Panchayat Samiti constituted under sub-section (1) or sub-section (2) of section 20 of the Act.

2A. *Determination of number of persons to be co opted*—The Panchayat Samiti shall by resolution determine the number of persons to be co-opted for each of the Standing Committees before a meeting for co-option of member of a Standing Committee is convened under Rule 3.

3. *Meetings for co-option of members of a Standing Committee*—(1) The election for co-option of members of a Standing Committee shall be held in the office of the Panchayat Samiti at a meeting to be convened and to be presided by the Pradhan.

(2) If a meeting for the co-option of the members of the Standing Committee, where it has been decided to co-opt, some person, is not convened by the Pradhan under sub-rule (1) and the Standing Committee is not constituted within a period of three months from the date of the constitution or re-constitution of the Panchayat Samiti, the Collector of the district shall convene a meeting of the members of the Panchayat Samiti for such co-option. The Collector or, the person, appointed by him in this behalf, shall preside over such meeting and exercise all the functions of the Pradhan under these rules for constituting a Standing Committee except that he shall have no power to vote.

**4. Notice of the meeting of election for co-option of members of a Standing Committee.**—(1) A notice of the date and hour of such meeting shall be given to the members of not less than seven clear days previous to the day of the meeting.

(2) Such notice shall state :—

- (a) the number of persons to be co-opted,
- (b) the qualifications of the persons to be co-opted as required under clause (ii) of the proviso to sub-section (3) of section 20 of the Act,
- (c) the place and date on which and the hours between which the nomination papers shall be filed,
- (d) the place and date on which and the hours between which the nomination papers will be taken up for scrutiny,
- (e) the place and date on which and the hours between which the votes of members will be taken, should there be a poll.

(3) The notice shall be sent by post or by such other mode as the Pradhan may consider expedient, to every member at his ordinary place of residence.

(4) Such notice shall be published by affixing it on the notice board of Panchayat Samiti at its office.

**5. Filing of nomination paper.**—The nomination of every candidate shall be made by means of a nomination paper in the form prescribed in Schedule I.

(2) Every nomination paper shall be signed by two members as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for co-option.

(3) Each candidate shall be nominated by a separate nomination paper.

(4) Every nomination paper shall be presented to the Pradhan by the candidate or his proposer or seconder on the date, at the



place and, during the hours specified in the notice for filing nomination papers.

(5) Immediately after the time for receipt of nomination papers is over, the Pradhan shall cause to be published a list, in the form prescribed in Schedule II, containing the names of the candidates whose nomination have been received under the preceding sub-rule by affixing it on the Notice Board of the Panchayat Samiti at its office.

**6. Scrutiny of nomination papers—**(1) On the date appointed for scrutiny or nominations, the candidate, his proposer and seconder may attend at such place and time as is specified in the notice for the scrutiny of nomination papers and the Pradhan shall give such persons all reasonable facilities to examine the nomination papers of all the candidates which have been received as aforesaid.

(2) The Pradhan shall then examine the nomination papers shall decide all objections which may be made at the time to any nomination and may, either on such objection, or on his own motion and, after such summary enquiry, if any, as he may deem necessary, reject any nomination on any one or more of the following grounds—

(a) that the candidate is not eligible for co-option as a member of the Standing Committee under the provisions of the Act,

(b) that the candidate suffers from any of the disqualifications mentioned in sec. 15 of the Act, or

(c) that the proposer is a person who is not a member :

(3) Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder, or of any other particulars relating to the candidate or his proposer or seconder, if the identity of the candidate, proposer or seconder, as the case may be, can otherwise be established beyond reasonable doubt.

(3) The Pradhan shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected, shall record in writing, a brief statement of reasons for such rejection.

(4) The decision of the Pradhan under sub-rule (2) shall be final.

**7. Publication of the list of nominated candidates—**The Pradhan shall before the time fixed for the meeting for election cause to be published a list containing the name of the validly nominated candidates in the form prescribed in Schedule III.

by affixing it on the Notice Board of the Panchayat Samiti at its office.

8. *Withdrawal of candidature.*—A candidate may withdraw his candidature any time before the commencement of the poll by giving a notice in writing to that effect to the Pradhan.

9. *Procedure after publication of the list of validly nominated candidates.*—(1) If the number of the candidates is equal to the number of vacancies, the Pradhan shall declare all such candidates duly co-opted.

(2) If the number of the candidates is less than the number of the vacancies the Pradhan shall declare all such candidates duly co-opted and shall adjourn the meeting for co-option to another date to fill up the remaining vacancies in accordance with the procedure prescribed in these Rules.

(3) If the number of the candidates exceeds the number of the members to be co-opted, co-option by election shall be held by secret ballot and the votes of the members present at the meeting shall be taken.

10. *Voting and result of election.*—(1) The Pradhan shall cause such arrangements to be made as well ensure the secrecy of the ballot.

(2) Every member wishing to vote shall be supplied with a ballot paper on which names of duly nominated candidates who have not withdrawn their candidature shall be printed, typed, cyclostyled or legibly written in Hindi in the alphabetical order of their names in the form prescribed in Schedule IV.

(3) The voter shall place a cross mark (x) in column (3) of the ballot paper duly authenticated by the seal and signatures of the Pradhan against the name of the candidates for whom he wishes to vote with a red, blue or ordinary pencil :

Provided that if a voter is illiterate, or by reason of infirmity, is unable to vote in the above manner, the Pradhan shall, at the request of such voter, make the marks on the ballot paper according to the directions of such voter and shall cause the ballot paper so marked to be placed in the ballot box.

(4) He shall then fold up the ballot paper so as to conceal his vote and deposit the same in a ballot box placed in the view of the Pradhan.

(5) The ballot box shall be so constructed that the ballot papers can be introduced therein but cannot be withdrawn there from without the box being unlocked.

(6) Every person wishing to record his vote shall do so in person and not by proxy.

(7). The Pradhan shall, after the voting is over—

(a) count the votes in the presence of such members as may be present and declare the candidates up to the number of the vacancies who are found to have secured the largest number of valid votes to have been duly elected for co-option.

(b) In the event of there being an equality of votes between the candidates, the Pradhan shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected for co-option.

**11. Validity of the ballot paper.**—Any ballot paper which bears any mark or signature of any of the voting member by which the voter can be identified or on which the mark (x) is placed against more candidates than the number of vacancies or all the marks are placed in an ambiguous manner or which does not bear the official seal and signature of the Pradhan shall be invalid.

**12. Preparation of record of proceeding and publication of result of election for co-option.**—Immediately after the meeting for co-option by election, the Pradhan shall—

(a) prepare a record of the proceedings at the meeting and sign it, attesting with his initials every correction made therein, and also permit any member present at the meeting to affix his signatures to such record if he expresses his desire to do so;

(b) publish on the Notice Board of the Panchayat Samiti at its office a notification signed by him stating names of the person elected for co-option as members of the particular Standing Committee and send a copy of such notification to the Collector concerned and the State Government.

**13. Packing and preservation of election record.**—(1) The Pradhan shall then make up into a packet the ballot papers and other papers relating to the election for co-option seal up the packet and note thereon a description of the contents, the election to which it relates and the date therefor.

(2) The packet shall be retained in safe custody in the office of the Collector concerned for a period of three years and shall then, unless otherwise directed by a competent court, be destroyed.

**14. Resignation by a member of a Standing Committee.**—Any member of a Standing Committee may resign his office as such member by giving notice in writing to the Vikas Adhikari. Such notice shall be attested by a Gazetted Officer of the Government and shall be handed over personally to the Vikas Adhikari. Resignation so tendered shall take effect on and from the date on which it is handed over to the Vikas Adhikari.

**15. Procedure for filling up Vacancies.**—Any vacancy caused by resignation, retirement, removal, death or otherwise of any member of a Standing Committee shall be filled up in accordance with the provisions contained in the foregoing rules for the co-option of members of a Standing Committee.

## SCHEDULE I

[Sub rule (1) of rule 5 of the Rajasthan Panchayat Samitis (Co-option of Members of Standing Committee) Rules, 1959]

### NOMINATION FORM ELECTION FOR CO-OPTION OF A MEMBER OF A STANDING COMMITTEE OF A PANCHAYAT SAMITI

- (1) Name of the Panchayat Samiti.
  - (2) Description of the Standing Committee.
  - (3) Full Name of the candidate.
  - (4) Father's or husband's name.
  - (5) Age.
  - (6) Sex.
  - (7) Address.
  - (8) Full name and address of the Proposer.
  - (9) Full name and address of the Seconder.
1. Signature of the Proposer.      2. Signature of Seconder
- Date.      Date.
- Place.      Place.

### CANDIDATE'S DECLARATION

I, the above named candidate, give my consent to this nomination and hereby declare that I do not hold any of the disqualifications enumerated in Rajasthan Panchayat Samitis and Zila Parishads Act, 1959, and that I am qualified to be a candidate for election for co-option as a member of ..... Standing Committee of.....Panchayat Samiti under the provisions of the said Act.

Signature of the candidate.

Date.  
Place.

### ENDORSEMENT BY THE PRADHAN

Serial Number.

This nomination paper was presented to me by.....  
.....(Name) at .....(date and hour).

Date.  
Place.

Signature of the Pradhan.

## ORDER OF THE PRADHAN

Accepted/Rejected.....

Reasons for rejection .....

Date.

Place.

Signature of the Pradhan.

Received nomination paper of Shri/Shrimati .....  
 .....for election for co-opted as a member of .....Standing  
 Committee of..... Panchayat Samiti, proposed and seconded  
 by (1) ..... and (2) ..... respectively which was  
 presented to me at.....(Place) at.....(time) this.....  
 day of .....19 by Shri.....

Signature of the Pradhan

### SCHEDULE II

[Sub.rule (5) of rule 5 of the Rajasthan Panchayat Samitis Co-  
 option of Members of (Standing Committee) Rules, 1959.]

List of candidates proposed for nomination of election for  
 co-optation as members of .....Standing Committee  
 of ..... Panchayat Samiti.

S. No.	Name and description of candidate.	Address of candidates.	Remarks.
--------	------------------------------------	------------------------	----------

1.  
2.  
3.  
4.  
5.  
6.

Place.

Date.

Signature of the Pradhan.

## SCHEDULE III

[Rule 7 of the Rajasthan Panchayat Samitis (co-option of  
Members of Standing Committee) Rules, 1959]

List of candidates validly nominated for election for co-  
option as member of .....Standing Committee of .....  
Panchayat Samiti.

S. No.	Name and description of candidate.	Address	Remarks.
1.			
2.			
3.			
4.			
5.			
6.			

Date.

Place.

Signature of the Pradhan.

## SCHEDULE IV

[sub-rule (2) of rule 10 of the Rajasthan Panchayat Samitis (Co-  
option of Members of Standing Committee) Rules 1959.]

Ballot Paper

For election for co-option of members of the.....Stand-  
ing Committee of .....Panchayat Samiti.

Signature and seal of the Pradhan.

S. No.	Name of the candidate with the name of father or husband and residence.	For Mark (x) by voter.
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (ELECTION OF CHAIRMAN OF STANDING COMMITTEE) RULES, 1959

[Notification No. F. 45 (173) (184) Co-ord. /DD/ 59/1960, published in the Rajasthan Gazette, Extraordinary, Part IV-C, dated 26-9-1959]

In exercise of the powers conferred by sub-sec. (1) of sec. 79 read with sub-sec. (6) of sec. 20 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following rules, namely:—

1. *Short title and commencement.*—These rules may be called the Rajasthan Panchayat Samitis (Election of Chairman of Standing Committee) Rules, 1959.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Definitions.*—In these rules, unless the context otherwise requires—

(1) 'Act' means the Rajasthan Panchayat Samiti and Zila Parishads Act, 1959, (Act No. 37 of 1959.)

(2) 'Chairman' means Chairman of a Standing Committee of a Panchayat Samiti,

(3) 'Clear days' include Sundays and Holidays but does not include the day of meeting and the day of the receipt of the notice by the person to whom it is addressed,

(4) 'Member' means the member of a Standing Committee,

(5) 'Panchayat Samiti' means Panchayat Samiti constituted under the Act,

(6) 'Pradhan' means the Pradhan of a Panchayat Samiti,

(7) 'Standing Committee' means a Standing Committee of a Panchayat Samiti constituted under sub-sec. (1) or (2) of sec. 20 of the Act.

3. *Meeting for election of Chairman.*—(1) The election of a Chairman of a Standing Committee shall be held in the office of the Panchayat Samiti at a meeting to be convened and to be presided by the Pradhan.

(2) If a meeting for the election of the Chairman of Standing Committee is not convened by the Pradhan under sub-rule

(1) within a period of three months from the date of election of the members of that Standing Committee, the Collector shall convene a meeting of the members of the Standing Committee for such election. The Collector or the person appointed by him in this behalf shall preside over such meeting and exercise all the functions of the Pradhan under these rules for the election of the Chairman of the standing committee but he shall not have power to vote.

4. *Notice of meeting for election.*—Notice of the date and hour of such meeting shall be given to the members of the Standing Committee of not less than seven clear days previous to the day of the meeting.

(2) Such notice shall state :—

(a) the place and date on which and the hours between which the nomination papers shall be filed,

(b) the place and date on which and the hours between which the nomination papers will be taken up for scrutiny,

(c) the place and date on which and the hours between which the votes of the members will be taken, should there be a poll.

(3) The notice shall be sent by post or by such other mode as the Pradhan may consider expedient, to every member at his ordinary place of residence or by handing over to a member present at the Panchayat Samiti office.

(4) Such notice shall be published by affixing it on the notice board of the Panchayat Samiti at its office.

5. *Filing of nomination paper.*—(1) The nomination of every candidate shall be made by means of a nomination paper in the form prescribed in Schedule I.

(2) Every nomination paper shall be signed by two members as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election.

(3) Each candidate shall be nominated by a separate nomination paper.

(4) Every nomination paper shall be presented by the candidate or his proposer or seconder on the date, at the place and during the hours specified in the notice for filing nomination papers.

(5) Immediately after the time for receipt of nomination papers is over, the Pradhan shall cause to be published a list, in the form prescribed in Schedule II, containing the names of the candidates whose nomination have been received under the preceding sub-rule by affixing it on the Notice Board of the Panchayat Samiti at its office.



6. *Scrutiny of nomination papers.*—(a) On the date appointed for the scrutiny of nominations, the candidate, his proposer and seconder may attend at such place and time as is specified in the Notice for the scrutiny of nomination papers and the Pradhan shall give such persons all reasonable facilities to examine the nomination papers of all candidates which have been received as aforesaid.

(2) The Pradhan shall then examine the nomination papers and shall hear and decide any objection raised in this behalf and may, either on such objection, or on his own motion and, after such summary enquiry as he may deem necessary, reject any nomination on the ground that the proposer or seconder is a person who is not a member.

(3) The Pradhan shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected, shall record in writing, a brief statement of reasons for such rejection.

(4) The decision of the Pradhan under sub-rule (2) shall be final.

7. *Publication of the list of nominated candidates.*—The Pradhan shall before the time fixed for the meeting for election, cause to be published a list containing the names of the validly nominated candidates in the form prescribed in Schedule III by affixing it on the Notice Board of the Panchayat Samiti at its office.

8. *Withdrawal of candidature.*—A candidate may withdraw his candidature any time before the commencement of the poll by giving a notice in writing to that effect to the Pradhan.

9. *Procedure after publication of the list of validly nominated candidates.*—(1) If there is only one duly nominated Candidate, there shall be no poll and the candidate so nominated shall be declared to have been duly elected.

(2) If there are two or more such candidates, an election shall be held by secret ballot and votes of the members present at the meeting shall be taken.

10. *Voting and result of election.*—(1) The Pradhan shall cause such arrangements to be made as will ensure the secrecy of the ballot.

(2) Every member wishing to vote shall be supplied with a ballot paper on which names of duly nominated candidates who have not withdrawn their candidature shall be printed, typed, cyclostyled or legibly written in Hindi in the alphabetical order of their names in the form prescribed in Schedule IV.

(3) The voter shall place a cross mark (x) in column (3) of the ballot paper, duly authenticated by the seal and signatures of the Pradhan, against the name of the candidate for whom he wishes to vote with a red, blue or ordinary pencil :

Provided that if a voter is illiterate, or by reason of infirmity is unable to vote in the above manner, the Pradhan shall, at the request of such voter, make the mark on the ballot paper according to the direction of such voter and shall cause the ballot paper so marked to be placed in the ballot box.

(4) He shall then fold up the ballot paper so as to conceal his vote and deposit the same in a ballot box placed in the view of the Pradhan.

(5) The ballot box shall be so constructed that the ballot papers can be introduced therein but cannot be withdrawn therefrom without the box being unlocked.

(6) Every person wishing to record his vote shall do so in person and not by proxy.

(7) The Pradhan shall after the voting is over—

(a) count the votes in the presence of such members as may be present and declare the candidate securing the largest number of valid votes to have been duly elected.

(b) In the event of there being an equality of votes between the candidates, the Pradhan shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

11. *Validity of ballot paper.*—Any ballot paper which bears any mark or signature of any of the voting member by which the voter can be identified or on which the mark (x) is placed against more than one name or in an ambiguous manner or which does not bear the official seal and signature of the Pradhan shall be invalid.

12. *Preparation of record of proceedings and publication of result of election.*—Immediately after the meeting for election the Pradhan shall :—

(a) prepare a record of the proceedings at the meeting and sign it, attesting with his initials every correction made therein, and also permit any member present at the meeting to affix his signature to such record if he expresses his desire to do so;

(b) publish on the Notice Board of the Panchayat Samiti at its office a notification signed by him stating name of the person elected as Chairman and send a copy of such notification to the Collector concerned and the State Government.

13. *Packing and preservation of election record.*—(1) The Pradhan shall then make up into packets the ballot papers and other papers relating to the election, seal up the packets and note thereon a description of the contents, the election to which they relate and the date thereof.

(2) The packets shall be retained in safe custody in the office of the Collector concerned for a period of three years and shall then, unless otherwise directed by a Competent Court, be destroyed.

14. *Production and inspection of election papers.*—While in the custody of the Collector, the packets of election papers shall not be opened and their contents shall not be inspected by or produced before any person or authority except under the order of a competent court.

15. *Resignation by a Chairman of a Standing Committee.*—A Chairman of a Standing Committee may resign his office as such Chairman by giving notice in writing to the Vikas Adhikari. Such notice shall be attested by a Gazetted Officer of the Government and shall be handed over personally to the Vikas Adhikari. Resignation so tendered shall take effect on and from the date on which it is handed over to the Vikas Adhikari.

16. *Procedure of filling up Vacancy.*—Any vacancy caused by resignation, retirement, removal, death or otherwise of a Chairman of a Standing Committee shall be filled up in accordance with the provisions contained in the foregoing rules for the election of Chairman of a Standing Committee.

## SCHEDULE I

[Sub-rule (1) of rule 5 of the Rajasthan Panchayat Samitis (Election of Chairman of Standing Committee) Rules, 1959.]

Nomination form for Election of a Chairman of a Standing Committee of a Panchayat Samiti.

1. Name of the Panchayat Samiti.
2. Description of the Standing Committee.
3. Full name of the candidate.
4. Father's or husband's name.
5. Age.
6. Sex.
7. Address.
8. Full name and address of the proposer.
9. Full name and address of the seconder.

- |                               |                               |
|-------------------------------|-------------------------------|
| 1. Signature of the Proposer. | 2. Signature of the Seconder. |
| Date.                         | Date.                         |
| Place.                        | Place.                        |

## Candidate's Declaration

I, the above named candidate, give my consent to this nomination and hereby declare that I do not hold any of the disqualifications enumerated in Rajasthan Panchayat Samitis and Zila Parishads Act, 1959, and that I am qualified to be candidate for election as Chairman of..... Standing Committee of..... Panchayat Samiti under the provisions of the said Act.

Date.

Signature of the Candidate.

Place.

## Endorsement by the Pradhan.

Serial Number.....

This nomination paper was presented to me by .....  
(name) at ..... (date and hour).

Date.

Signature of the Pradhan.

Place.

## ORDER OF THE PRADHAN

Accepted/Rejected .....

Reasons for rejection...

Date.

Signature of the Pradhan.

Place.

Received nomination paper of Shri/Shrimati....  
for election as Chairman of.... Standing Committee  
of.... Panchayat Samiti, proposed and seconded by  
(1).... and (2).... respectively which was  
presented to me at.... (place) at .... (time)  
this.... day of.... 19 by Shri....  
Signature of the Pradhan.

## SCHEDULE II

[Sub-rule (5) of rule 5 of the Rajasthan Panchayat Samitis (Election of Chairman of Standing Committee) Rules, 1959.]

List of candidates proposed for nomination of election as  
Chairman of.... Standing Committee of Panchayat  
Samiti ...

S. No.	Name and description of candidate.	Address of candidate.	Remarks.
1.			
2.			
3.			
4.			
5.			
6.			

Date.

Signature of the Pradhan.

Place.

## SCHEDULE III

[Rule 7 of the Rajasthan Panchayat Samitis (Election of  
Chairman of Standing Committee) Rules, 1959]

List of candidates validly nominated for election as Chair-  
man of .... Standing Committee of ... Panchayat  
Samiti.

S. No.	Name and description of candidate.	Address.	Remarks.
1.			
2.			
3.			
4.			
5.			
6.			
Date. Place.		Signature of the Pradhan.	

# THE RAJ. PANCHAYAT SAMITIS AND ZILA PARISHADS (ELECTION OF TEMPORARY PRADHAN) RULES, 1959

[Notification No. F. 45 (173) (82) (Co-ord)/DD/59, dated 23-9-59, published in Rajasthan Gazette, Part IV-C, Ex, Ord. dated 23-9-1959]

In exercise of the powers conferred by sub-sec. (1) of sec. 74 read with sec. (6) of sec. 25 of the Rajasthan Panchayat Samiti and Zila Parishad Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following rules namely—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Panchayat Samitis (Election of temporary Pradhan) Rules, 1959.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Definitions.*—In these rules unless the context otherwise requires—

(1) “Act” means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959).

(2) “Member” means a member of Panchayat Samiti constituted under the Act.

(3) “Panchayat Samiti” means Panchayat Samiti constituted under the Act.

(4) “Vikas Adhikari” means the officer appointed with that designation by the State Government or by such other authority as may be authorised by the State Government in that behalf.

3. *Vikas Adhikari to convene a meeting for election of temporary Pradhan.*—(1) A meeting of the members of the Panchayat Samiti for the election of a temporary Pradhan shall be convened by the Vikas Adhikari at the office of the Panchayat Samiti within a period of seven days from the date of occurrence of vacancy within the meaning of sub-sec. (6) of sec. 25.

(2) A notice of the date and hour of the meeting referred to in sub-rule (1) shall be given to all the members of the Panchayat Samiti at least seven before the date fixed for the meeting.

3. *Election of Presiding Member.*—One of the members present and not standing as a candidate for the office of a tem-

temporary Pradhan shall be elected by the members to preside and conduct the election and the member so elected shall hereinafter be referred as the "Presiding member".

*5 Proposing and seconding of a candidate.*—A candidate for the office of temporary Pradhan shall be proposed by one member and seconded by another at the meeting.

*6 Consent of the candidate, necessary.*—(1) The candidate so proposed, if present at the meeting, shall inform the presiding member whether he is willing to stand for such election or not.

(2) If any such candidate is not present at the meeting, his proposer or seconder shall produce a letter of consent signed by the candidate and deliver it to the presiding member.

*7. Reading out the names of the proposed candidates.*—The names of all the candidates proposed and seconded and who have expressed their willingness to stand for election, shall be read out by the presiding member at the meeting.

*8. Withdrawal of candidature.*—A candidate may withdraw at any stage before the declaration of the final result of the election.

*9. Mode of voting and result of election.*—(1) If there is only one duly proposed candidate, there shall be no election and such candidate shall be declared to have been duly elected.

(2) If there are two or more such candidates, an election shall be held by show of hands and the votes of the members present at the meeting taken.

(3) The candidate who secures the largest numbers of votes shall be declared to have been elected.

(4) In the event of there being an equality of votes between two candidates who get the highest number of votes, the Presiding member shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

*10. Preparation of record of proceedings and publication of result of election.*—Immediately after the meeting, the Presiding member shall—

(a) prepare a record of the proceedings at the meeting and sign it, attesting with his initials every correction made therein, and also permit any member present at the meeting to affix his signature to such record, if he expresses his desire to do so; and

(b) publish on the notice board of the Panchayat Samiti at its office a notification signed by him stating the name of the temporary Pradhan elected and send a copy of such notification to the Zila Parishad and to the Government.

# RAJ. ZILA PARISHADS (ELECTION OF TEMPORARY PRAMUKH) RULES, 1959

[Notification No. F. 45 (173) (83) Coord./D.D./59, dated 23-9-59,  
Published in the Raj. Gaz. Part IV-C, Extraordinary, Dt. 23.9.59.]

In exercise of the powers conferred by sub-sec. (1) of sec. 79 read with sub-sec. (6) of sec. 58 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following rules, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Zila Parishads (Election of Temporary Pramukh) Rules, 1959.

(2) They shall come into force from the date of their publication in the official Gazette.

2. *Definitions.*—In these rules unless the context otherwise requires.—

(1) “Act” means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959).

(2) “Member” means a member of a Zila Parishad constituted under the Act.

(3) “Secretary” means the Secretary of the Zila Parishad.

(4) “Zila Parishad” means a Zila Parishad constituted under the Act.

3. *Secretary to convene a meeting for election of temporary Pramukh.*—(1) A meeting of the members of the Zila Parishad for the election of a temporary Pramukh shall be convened by the Secretary at the office of the Zila Parishad within seven days from the date of the occurrence of vacancy within the meaning of sub-sec. (6) of sec. 58.

(2) A notice of the date and hour of the meeting referred to in sub-rule (1) shall be given to all the members of the Zila Parishad (except the District Development Officer) at least seven days before the date fixed for the meeting.

4. *Election of Presiding Member.*—One of the members present and not standing as a candidate for the office of a temporary Pramukh shall be elected by the members to preside and conduct the election and the members so elected shall hereinafter be referred as the “Presiding member.”



5. *Proposing and seconding of a candidate.*—A candidate for the office of temporary Pramukh shall be proposed by one member and seconded by another at the meeting.

6. *Consent of the candidate, necessary.*—(1) The candidate so proposed, if present at the meeting shall inform the presiding member whether he is willing to stand for such election or not.

(2) If any such candidate is not present at the meeting, his proposer or seconder shall produce a letter of consent signed by the candidate and deliver it to the presiding member.

7. *Reading out the names of the proposed candidates.*—The names of all the candidates proposed and seconded and who have expressed their willingness to stand for election, shall be read out by the presiding member at the meeting.

8. *Withdrawal of candidature.*—A candidate may withdraw at any stage before the declaration of the final result of the election.

9. *Mode of voting and result of election.*—(1) If there is only one duly proposed candidate, there shall be no election and such candidate shall be declared to have been duly elected.

(2) If there are two or more such candidates, an election shall be held by show of hands and the votes of the members present at the meeting taken.

(3) The candidate who secures the largest number of votes shall be declared to have been elected.

(4) In the event of there being an equality of votes between two candidates who get the highest number of votes, the Presiding member shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

10. *Preparation of record of proceeding and publication of result of election.*—Immediately after the meeting, the Presiding member shall—

(a) prepare a record of the proceedings at the meeting and sign it, attesting with his initials every correction made therein, and also permit any member present at the meeting to affix his signature to such record, if he expresses his desire to do so; and

(b) publish on the Notice Board of the Zila Parishad at its office a notification signed by him stating the name of the temporary Pramukh elected and send a copy of such notification to the Government.

# RAJ. ZILA PARISHADS (CO-OPTION OF MEMBERS) RULES, 1959

[Notification No. F. 45(173)/9/Co-ord/DD/59, dated 10-9-1959, published in Rajasthan Gazette, Ex., Part IV-C, dated 10-9-59]

In exercise of the powers conferred by sub-section (1) of section 79 read with sub-section (4) of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. XXXVII of 1959), the State Government hereby makes the following rules, namely:—

1. *Short title and commencement.*—These rules may be called the Rajasthan Zila Parishads (Co-option of Members) Rules, 1959 and shall come into force on the date of their publication in the official Gazette.

2. *Definitions* —In these Rules, unless the context otherwise requires—

(i) 'Act' means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. XXXVII of 1959);

(ii) 'Members' means persons specified in sub section (3) of section 42 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959.

(iii) 'Section' means section of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959.

(iv) 'Returning Officer' means the Collector or any other subordinate officer specially appointed by the State Government.

(v) Words and expressions used but not defined in these Rules shall have the meaning assigned to them in the Act.

3. *Notice for special meeting for co-option* —As soon as a notification constituting a Zila Parishad under section 42 of the Act has been issued, the Collector shall on a date previously to the date appointed for the constitution of a Zila Parishad under section 42, convene at the office of the Zila Parishad, at the appointed time, a special meeting of members specified in sub-section (3) of section 42, after giving them a notice in writing of not less than seven clear days for the co-option of members specified in sub-section (4) of section 42.

(2) The Notice referred to in sub rule (1) shall state—

(i) the persons to be co-opted from amongst persons residing in the district mentioned in sub-section (4) of section 42 namely:—

[a] two women, if no woman is a members of the Zila

Parishad by virtue of sub-section [3] of section 42;

- [b] one woman, if only one woman is such member,
- [c] one person belonging to the scheduled castes if no such person is a member of the Zila Parishad by virtue of sub section (3) of section 42.
- [d] one person belonging to the scheduled tribes if no such person is a member of the Zila Parishad by virtue of sub-section (3) of section 42 and the population of such tribes in the district exceeds five per cent of total population of that district.
- [e], two persons whose experience in administration, public life or rural development would be of benefit to the Zila Parishad.
- (ii) the place and date on which and the hours between which the nomination papers shall be filed.
- (iii) the place and date on which and the hours between which the nomination papers will be taken up for scrutiny, and
- (iv) the place and date on which, and the hours between which the votes of members will be taken, should there be a poll.

(3) Such notice shall be sent by post or by such other mode as the Returning Officer may consider expedient to every member at his ordinary place of residence.

(4) Such notice shall be published by affixing it on the Notice Board of the Zila Parishad at its office.

#### 4 *Collector etc. to preside over meeting for Co-option.*—

The meeting for co-option of members shall be presided over by the Collector or any other subordinate officer specially appointed by the State Government.

5. *Filing of Nomination Papers.*—The nomination of every candidate shall be made by means of a nomination paper in the form prescribed in Schedule I.

(2) Every nomination paper shall be signed by two members as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for co-option.

(3) Each candidate shall be nominated by a separate nomination paper.

(4) Every nomination paper shall be presented by the candidate or his proposer or seconder on the date at the place and during the hours specified in the notice for filing nomination papers.

(5) Immediately after the time for receipt of nomination paper is over, the Returning Officer shall cause to be published

a list, in the form prescribed in Schedule II, containing the names of the candidates whose nomination have been received under the preceding sub-rule.

6. *Scrutiny of nomination papers.*—(1) On the date appointed for the scrutiny of nominations, the candidate, his proposer and seconder may attend at such place and time as is specified in the Notice for the scrutiny of nomination papers and the Returning officer shall give such persons all reasonable facilities to examine the nomination papers of all the candidates which have been received as aforesaid:

(2) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made at the time to any nomination and may, either on such objection, or on his own motion and, after such summary enquiry, if any, as he may deem necessary, reject any nomination or any one or more of the following grounds:—

- (a) that the candidate is not eligible for co-option under section 42;
- (b) that the candidate suffers from any of the disqualifications mentioned in section 15 of the Act; or
- (c) that the proposer or seconder is a person who is not a member:

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder, or of any other particulars if the identity of the candidate, proposer or seconder, as the case may be, can otherwise be established beyond reasonable doubt:

Provided further that in the case of a dispute whether any candidate has experience in administration, public life or rural development beneficial to the Zila Parishad or not such dispute shall be referred to the State Government or any person or authority to whom the powers are delegated in this behalf, whose decision shall be final.

(3) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected, shall record in writing, a brief statement of reasons for such rejection.

7. *Publication of the list of nominated candidates.*—The Returning Officer shall before the time for the meeting for co-option cause to be published a list containing the names of validly nominated candidates in the form prescribed in Schedule III by affixing it on the Notice Board of the Zila Parishad at its office.

8. *Withdrawal of candidature.*—A candidate may withdraw his candidature any time before the commencement of the poll by giving a notice in writing to that effect to the Returning Officer.

9. *Procedure after publication of the list of validly nominated candidates.*—(1) If the number of candidates is equal to the number of vacancies, the Returning Officer shall declare all such candidates duly elected as co-opted members.

(2) If the number of such candidates is less than the number of vacancies, the Returning Officer shall declare all such candidates duly elected as co-opted members and shall adjourn the meeting to another date not less than seven days after the date appointed under sub-sec. (1) of sec. 44 to fill up the remaining vacancies.

(3) If the number of candidates exceeds the number of persons to be co-opted, an election shall be held by secret ballot and votes of the members present at the meeting shall be taken.

10. *Procedure for adjournment of the meetings for co-option for want of quorum etc.*— 1) If for want of the necessary quorum or for any other sufficient reason, the members fail to co-opt the persons specified in sub-sec. (4) of sect. 42, the Returning Officer shall adjourn the same to another date not less than seven days after the date appointed under sub-sec. (1) of sec. 44.

(2) One-third of total number of members shall form the quorum of a meeting for co-option.

(3) A notice of the date fixed for the adjourned meeting shall be affixed on the Notice Board of the Zila Parishad at its office and shall be despatched by post individually to members specified in sub-sec. (3) of sec. 42 under a certificate of posting.

(4) Immediately after the adjournment of the previous meeting under the preceding sub-rule, and upon such despatch the notice shall be regarded as having been served on the members within the ordinary course of post.

11. *Voting and result of election.*—(1) The Returning Officer shall cause such arrangements to be made as will ensure the secrecy of the ballot.

(2) Every member wishing to vote shall be supplied with a ballot paper on which names of duly nominated candidates, who have not withdrawn their candidature, shall be printed, typed, cyclostyed or legibly written in Hindi in the alphabetical order of their names in the form prescribed in Schedule IV.

(3) The voter shall place a cross mark (x) in column 2 of the ballot paper, duly authenticated by seal and signatures of

Returning Officer against the name or names of the candidate or candidates for whom he wishes to vote with a pencil of any colour, red, blue or black whichever is placed at the polling department and may be available at the polling station :

Provided that if a voter is illiterate, or by reason of infirmity, is unable to vote in the above manner, the Returning Officer, shall at the request of such voter make the marks on the ballot papers according to the direction of such voter and shall cause the ballot paper so marked to be placed in the ballot box.

(4) He shall then fold up the ballot paper so as to conceal his vote and deposit the same in a ballot box placed in the view of the Returning Officer.

(5) The ballot box shall be so constructed that the ballot papers can be introduced therein but can not be withdrawn herefrom without the box being unlocked.

(6) Every person wishing to record his vote shall do so in person and not by proxy.

(7) The Returning Officer shall, after the voting is over, count the votes in the presence of such members as may be present and declare the result in the following manner.—

(a) The candidate who is found to have obtained the largest number of valid votes, or if more than one is to be co-opted, the candidates up to the number of persons to be co-opted, who are found to have obtained the largest numbers of valid votes shall be declared to have been co-opted.

(b) In the event of there being an equality of votes between the candidates, the Returning Officer shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected as a co-opted member.

12. *Validity of ballot papers.*—Any ballot paper which bears any mark or signature of any of voting member by which the voter can be identified or in which the mark (x) is placed against more than the number of vacancies or in an ambiguous manner or which does not bear the official seal and signature prescribed in sub-rule (3) of Rule 11, shall be invalid.

13. *Preparation of record of proceedings and publication of result of election.*—Immediately after the meeting for co-optation, the Returning Officer shall —

(a) Prepare a record of the proceedings at the meeting and sign it, attesting with his initials every correction made therein, and also permit any member present at the meeting to affix his signature to such record, if he expresses his desire to do so;

- (b) publish on the Notice Board of the Zila Parishad at its office notification signed by him, stating names of the persons elected as co-opted members and send a copy of such notification to the Collector and the Government.

**14. Packing and preservation of election record.—**

(1) The Returning Officer shall then make up into packets the ballot papers and other papers relating to the election, seal up the packets and note thereon a description of the contents, the election to which they relate and the date therefor.

(2) The packet shall be retained in safe custody in the office of the Collector concerned for a period of three years and shall then, unless otherwise directed by a competent court, be destroyed.

**14-A. Production and inspection of co-option papers—**While in the custody of the Collector the packets of co-option papers shall not be opened and their contents shall not be inspected by, or produced before, any person or authority except under the orders of a competent court.

**15. Filling up of vacancies of co-opted members.—**Any vacancy occurring in the office of a co-opted member before the expiration of his term shall be filled by co-option of another person in the manner provided in the forgoing rules and the person so co-opted shall hold office for the residue of the term of his predecessor :

Provided that the meeting for such co-option shall be convened and presided over by the Pramukh or, in his absence, by the Up-Pramukh.

16. x x x.

**SCHEDULE I**

Sub-rule (1) of rule 5 of the Rajasthan Zila Parishads (Co-option of Members) Rules, 1959)

Nomination Form for Election of Co-opted Members of Zila Parishad for the Seat mentioned in clause.... of sub-sec. (4) of sec. 42 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959, namely for..... (give description of the Seat.)

1. Name of the Zila Parishad.
2. Full name of the candidate
3. Father's or Husband's name
4. Age.
5. Sex.
6. Address.

7. Full name and address of the proposer.
8. Full name and address of the seconder.
1. Signature of the Proposer      2. Signature of the Seconder.
- Date.      Date.
- Place.      Place.

### CANDIDATE'S DECLARATION

I, the above named candidate, give my consent to this nomination and hereby declare that I do not hold any of the disqualifications enumerated in sec. 15 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959, and that I am qualified to be a candidate for co-option to the Zila Parishad under the provisions of the said Act.

Date.      Signature of the candidate.  
Place.

### ENDORSEMENT BY THE RETURNING OFFICER

Serial Number.

This nomination paper was presented to me by.....(name)  
at..... (date and hour).

Date.      Signature of the Returning Officer.  
Place.

### ORDER OF THE RETURNING OFFICER

Accepted/Rejected

Reasons for rejection.....

Date.      Signature of the Returning Officer.  
Place.

Received nomination paper of Shri.... for election as a co-opted Member of .....Zila Parishad, proposed and seconded by (1) .....and (2)..... respectively which was presented to me at..... (place) at..... (time)..... this .....day of..... of..... 196 , by Shri.....

Signature of the Returning Officer.

### SCHEDULE II

(Sub-rule (5) of rule 5 of the Rajasthan Zila Parishads  
(Co-option of Members) Rules, 1959.)

List of candidates proposed for election as co-opted members of Zila Parishad

S. No.	Name and description of the candidate	address	Remarks.
--------	---------------------------------------	---------	----------

- 1.
- 2.
- 3.
- 4.
- 5.

Place.      Signature of the Returning Officer.  
Date.



## SCHEDULE III

(Rule 7 of the Rajasthan Zila Parishads (Co-option of Members) Rules, 1959.)

List of candidates validly nominated for election as co-opted members of a Zila Parishad

S. No.	Name and description of the candidate	Address	Remarks.
1.			
2.			
3.			
4.			
5.			

Place. \_\_\_\_\_ Signature of the Returning Officer.  
Date. \_\_\_\_\_

## SCHEDULE IV

(sub-rule (2) of the Rule 11 of the Rajasthan Zila Parishads (Co-option of Members) Rules, 1959.)

## BALLOT PAPER

..... Zila Parishad .. ....

Signature and seal of the Returning Officer.

Serial No.	Name of the candidate with the name of father or husband and residence.	For Mark (x) by voter.
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

# RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (FINANCIAL ACCOUNTS & BUDGET) RULES, 1959

[Notification No. F. 45(173)(248) (Co-ord.) DD/59, dated 1-10-59, published in Raj. Gaz., Ex. Part IV-G, dated 1.10.59].

In exercise of the powers conferred by secs. 34, 35, 37, 38, 62, 63, 64 and 65 read with sub-sec. (1) of sec. 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959, the State Government hereby makes the following rules namely:—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads (Financial Accounts and Budget) Rules, 1959.

(2) They shall come into force from the date of their publication in the official Gazette.

## CHEPTEr I

### DEFINITIONS

2. *Definitions.*—In these rules, unless the context otherwise requires:—

(1) “Accountant General” means the Accountant General, Rajasthan.

(2) “Act” means the Rajasthan Panchayat Samitis & Zila Parishads Act, 1959 (Act No. 37 of 1959).

(3) “Appendix” means an appendix to these rules.

(4) “Competent Authority” means the Panchayat Samiti/ Zila Parishad or such other authority to whom powers in this regard may be delegated.

[(5) x x x]

(6) “Development Commissioner” means the Development Commissioner, Rajasthan.

(7) “Examiner” means the Examiner of Local Fund Audit Department in Rajasthan.

(8) “Form” means a form appended to these rules.

(9) “Fund” means the Panchayat Samiti Fund or Zila Parishad Fund as the case may be.

(10) “Head of Office” means the Vikas Adhikari for the Panchayat Samitis and Secretary for the Zila Parishad and shall include such other officer as may be declared by a Panchayat Samiti for any office or any institution subordinate to it.

(11) "Officer-in-charge" means the person designated as such for any institution or scheme by a Panchayat Samiti.

[(12) x x x]

[(13) x x x]

[(14) x x x]

(15) "Secretary" means the Secretary of Zila Parishad appointed by the State Government.

(16) x x x]

(17) "Treasury" shall also include Sub-Treasury.

[(18) x x x]

(19) "Year" means the Financial Year beginning on the first of April and ending on the 31st of March following.

[(20) x x x]

(21) Words and expressions used but not defined in these rules shall have the meanings assigned to them in Act.

## CHAPTER II

### The Budget

3. *Budget*—The budget is a statement of the estimate of the receipts and expenditure of a Panchayat Samiti/Zila Parishad for any year.

4. *Form of Budget*—The budget estimates of receipt and expenditure will be drawn up by the Vikas Adhikari in the case of a Panchayat Samiti and by the Secretary in the case of a Zila Parishad in the Forms numbered 1 to 4. All receipts and expenditure should be classified under the heads given in Appendix A.

5. *Principles of budgeting*—The sum to be provided in an estimate of receipts or expenditure under a particular head must be such sum as can be raised or expended in the year. Estimating should be as close and accurate as possible. A saving in an estimate constitutes as much a financial irregularity as an excess in it.

6. *Estimates of revenue or receipts*—(1) The estimate of revenue or receipts should show the amounts actually expected to be received during the coming year, including grants to be received from the State Government etc. The arrears, if any; standing over from past years for collection should be included only to the extent these are expected to be realised during the course of the year to which the estimates relate.

(2) In the case of fluctuating revenue or receipts the actuals of the past three years and the sanctioned estimates of the current year will be kept in view with due regard to any general tendency either to stability or increase or decrease which the figures relating to past three years may indicate and the probable effect of any special factors which may influence the revenue during a particular year.

7. *Provision for gross receipts.*—Provision should be made for gross receipts unless there are any instructions to the contrary in a particular case.

8. *Refunds*—Provision for refunds is to made under the head of revenue under a separate minor head “Deduct Refunds” by means of a deduct entry from the total estimated revenue under the major head.

9. *Budget Note.*—The reasons for the estimates for the ensuing year should be carefully explained item by item in a budget note. Where an estimate proposed for the ensuing year is in any way abnormal, due regard should be paid to the following:—

- (i) Actuals of the past year as compared with the original estimates for that year.
- (ii) Revised estimates for the current year as compared with the original estimates for that year.
- (iii) Budget estimates for the ensuing year as compared with the original or revised estimates for the current year.

10. *Estimates for expenditure.*—(1) While framing the estimates for expenditure for the ensuing year, current year’s estimates should not be accepted as the only basis. The need for every item must be fully scrutinised before it is included in the estimates. The estimate for every item should provide for what is expected to be actually paid during the year including arrears. The provision should be for gross expenditure.

(2) It should be ensured that adequate and suitable provision is made :

- (i) for the payment as and when these fall due of all instalment of principal and interest of loans contracted by the Panchayat Samitis.
- (ii) for such supplies and services (including pay and allowances of the staff and members) as may be require for the proper discharge of duties imposed by the Act or otherwise;
- (iii) for a balance at the end of the said year of not less than Rs. 5,000/- in case of a Panchayat Samiti and Rs. 1,000/- in case of a Zila Parishad.

(3) The estimates should be in two parts (i) for existing expenditure and (ii) for new expenditure. For new expenditure, separate estimates should be framed with explanatory notes. While framing estimates for new expenditure, attention should be paid to the necessity of raising new resources to meet the additional demand and the proposals for the necessary measures viz, fresh taxation, increase in existing level of taxation, economics etc. should be simultaneously drawn and considered.

(11) "Officer-in-charge" means the person designated as such for any institution or scheme by a Panchayat Samiti.

[(12) x x x]

[(13) x x x]

[(14) x x x]

(15) "Secretary" means the Secretary of Zila Parishad appointed by the State Government.

(16) x x x]

(17) "Treasury" shall also include Sub-Treasury.

[(18) x x x]

(19) "Year" means the Financial Year beginning on the first of April and ending on the 31st of March following.

[(20) x x x]

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6. *Estimates of revenue or receipts*—(1) The estimate of revenue or receipts should show the amounts actually expected to be received during the coming year, including grants to be received from the State Government etc. The arrears, if any; standing over from past years for collection should be included only to the extent these are expected to be realised during the course of the year to which the estimates relate.

(2) In the case of fluctuating revenue or receipts the actuals of the past three years and the sanctioned estimates of the current year will be kept in view with due regard to any general tendency either to stability or increase or decrease which the figures relating to past three years may indicate and the probable effect of any special factors which may influence the revenue during a particular year.

7. *Provision for gross receipts.*—Provision should be made for gross receipts unless there are any instructions to the contrary in a particular case.

8. *Refunds*—Provision for refunds is to made under the head of revenue under a separate minor head ‘Deduct Refunds’ by means of a deduct entry from the total estimated revenue under the major head.

9. *Budget Note.*—The reasons for the estimates for the ensuing year should be carefully explained item by item in a budget note. Where an estimate proposed for the ensuing year is in any way abnormal, due regard should be paid to the following :—

- (i) Actuals of the past year as compared with the original estimates for that year.
- (ii) Revised estimates for the current year as compared with the original estimates for that year.
- (iii) Budget estimates for the ensuing year as compared with the original or revised estimates for the current year.

10. *Estimates for expenditure.*—(1) While framing the estimates for expenditure for the ensuing year, current year’s estimates should not be accepted as the only basis. The need for every item must be fully scrutinised before it is included in the estimates. The estimate for every item should provide for what is expected to be actually paid during the year including arrears. The provision should be for gross expenditure.

(2) It should be ensured that adequate and suitable provision is made :

- (i) for the payment as and when these fall due of all instalment of principal and interest of loans contracted by the Panchayat Samitis.
- (ii) for such supplies and services (including pay and allowances of the staff and members) as may be require for the proper discharge of duties imposed by the Act or otherwise;
- (iii) for a balance at the end of the said year of not less than Rs. 5,000/- in case of a Panchayat Samiti and Rs. 1,000/- in case of a Zila Parishad.

(3) The estimates should be in two parts (i) for existing expenditure and (ii) for new expenditure. For new expenditure, separate estimates should be framed with explanatory notes. While framing estimates for new expenditure, attention should be paid to the necessity of raising new resources to meet the additional demand and the proposals for the necessary measures viz, fresh taxation, increase in existing level of taxation, economics etc. should be simultaneously drawn and considered.

(4) Along with the budget, complete accounts of the receipts and expenditure of the financial year preceding the one during which the estimates are framed should also be furnished by the Panchayat Samitis or the Zila Parishads, as the case may be e.g., the accounts of receipts and expenditure relating to the year 1958-59 should be furnished along with the budget estimates for 1960-61 being framed in 1959-60.

11. *Estimate for establishment*—While framing an estimate for sanctioned establishment, whether permanent or temporary, the following procedure should be adopted—

- (i) The sanctioned strength (including numbers and rates of pay) should be shown together with the total cost thereof, provision being made where pay is progressive or on a time scale for all increments, which will fall due during the currency of the budget year.
- (ii) From the total of (i) a deduction should then be made for 'probable savings' that may result from some posts remaining unfilled or due to other reasons.

Note—Allowance should be made in the probable savings, where necessary, for variations due to incremental scales.

- (iii) The estimates for fluctuating items of expenditure such as 'Allowances and Honoraria' should be based on the current year's allotment viewed in the light of the average of the past three years' actuals allowance being made for any causes likely to modify that figure.
- (iv) In cases where a post or a special allowance has been sanctioned for a year and the charge for the past month falls due in the budget year, it must be taken against the grant of the budget year and provision made accordingly.
- (v) All compensatory allowances by official included under the primary unit 'Pay of Officers' or 'Pay of Establishment' should be shown under the primary unit 'Allowances' and all such allowances drawn by Class IV Servants who are paid from contingencies should be shown under 'Miscellaneous'.

12. *Budget Calendar*—The following shall be the programme for the preparation and scrutiny of the budget estimates—

(a) *Panchayat Samiti*—

Last date for submission of the budget estimates to the Panchayat Samiti by Vikās Adhikari .. 15Feb.

reach the District Development Officer after  
 Last date by which the budget estimates should  
 approval of the Panchayat Samiti ....28th February  
 Last date for submission of the budget estimates  
 to the Zila Parishad by the District Development  
 Officer ....10th March  
 Last date for returning the budget estimates to  
 the Panchayat Samitis ....25th March

(b) *Zila Parishad*—

Last date for submission of budget estimates by  
 the Secretary to the Zila Parishad ...15th February  
 Last date by which the budget estimates app-  
 roved by the Zila Parishad should reach the  
 Government in the Development Department  
 .. 28th February  
 Last date for the return of the budget estimates  
 to the Zila Parishad ....25th March

13. [x x x x]

14. [x x x x]

15. *Scope of appropriation*—An appropriation (i.e., provision in the budget) is intended to cover all charges, including all liabilities of past years, due to be paid during the year. It shall be operative till the close of the year.

16. *Re-appropriation*.—The amount provided under any head in the budget passed by a Panchayat Samiti or Zila Parishad may be transferred (reappropriated) to any other head provided.

- (a) No funds are transferred from one Major Head to another except in the case of Community Development Schemes.
- (b) Funds for Community Development Schemes are not transferred to schemes of other departments even within the same Major Head.
- (c) Due provision is ensured under each head for schemes, institutions, services or liabilities which it is obligatory for the Panchayat Samiti/Zila Parishad to execute, maintain or pay for in accordance with the Act or Rules made under it, or under the conditions of any grant made by the State Government and that no scheme, institution service etc., is left unprovided for except with the sanction of State Government.

*Note*:—Information regarding transfer of funds from one Major head to another in case of Community Schemes shall be furnished to the Development Department and such transfers shall not be made after December.

17. [x x x]



18. *Monthly account.*—Officers in charge of the various institutions and schemes shall furnish to the Vikas Adhikari a statement of actual receipts and expenditure each month by 10th of the following month and such other information as may be required regarding the progress of actuals. The Vikas Adhikari on the basis of information available with him and that furnished by the sub-ordinate authorities will keep a watch over the progress of receipts and expenditure and shall see that the recoveries are regularly made and that the expenditure is kept within the budget allocations.

19. *Half yearly review.*—A review will be conducted by the Vikas Adhikari or the Secretary, as the case may be, every year in the month of November on the basis of actuals for the first six months available and put before the Panchayat Samiti Zila Parishad.

20. *Special provision for year ending 31-3-1960.*—The State Government may, by notification, modify the procedure laid down in this chapter to the extent necessary for the budget for the year ending 31st March, 1960.

## CHAPTER III

### General Rules Regarding Revenue and Expenditure

#### SECTION 1

#### REVENUE

21. *Assessment and collection of revenue.*—It is the duty of the Vikas Adhikari/Secretary to see that dues of the Panchayat Samiti/Zila Parishad are correctly and regularly assessed, collected and promptly paid to the credit of the Fund. He will accordingly arrange to obtain from all the sources where revenue arises, returns to which the progress of realisation and cause them to be noted in the Demand and Collection Register in Form No. 5.

22. *Checks to leakage of revenue.*—In order to ensure that all the revenue collected is correctly brought to account and there is no leakage, the Vikas Adhikari/Secretary will see that adequate checks are exercised and may, for this purpose, arrange to have test inspections of account of receipts carried out.

23. *Revenue arrears.*—No amount due to the Panchayat Samiti/Zila Parishad should be left outstanding without sufficient reasons, and where such dues appear to be irrecoverable the orders of the competent authority for their adjustment, remission, reduction of demand, or write off must be sought without any avoidable delay.

24. *Credit of follow actual realisation.*—No sum may be credited as revenue unless it has been actually realised; the credit must follow and not precede the actual realisation.

## SECTION II

### Expenditure

25. *Drawal of money.*—Money will not be drawn from the Fund unless it is required for immediate disbursement on an item of expenditure under any rule or on a specific order of the competent authority.

26. *Standard of Financial propriety.*—Every officer incurring or authorising expenditure on behalf of the Panchayat Samiti/Zila Parishad should be guided by the established standards of financial propriety detailed in Appendix 'B' and must exercise the same vigilance as a person of ordinary prudence would exercise in respect of expenditure of his own money.

27. *Liability not to be increased without budget provision.*—Subject to the provision to sub-section (4) of section 37 of the Act, no authority will incur expenditure or enter into any liability unless there is a budget provision for it and the expenditure has been sanctioned by the competent authority.

28. *Operation period of sanction.*—Sanction of any authority to an expenditure becomes operative as soon as funds are allocated to meet it and remains in operation for the year or for a specific period, if any, subject to provision of funds from year to year if the term exceeds one year in any particular case.

29. *Delays in payment.*—Delays in the payment of money indisputably due is contrary to all rules and should be avoided.

30. *Control of expenditure.*—The Vikas Adhikari/Secretary must see that not only the total expenditure is kept within the limits of authorised appropriation, but also that the funds allotted are expended in the interest and service of the Panchayat Samiti/Zila Parishad and upon objects for which provision has been made. In order to exercise proper control, he should keep himself closely acquainted with the progress of expenditure, commitments and liabilities incurred, but not paid.

## CHAPTER IV

### Grants and Loans by the State Government

31. *Grant in aid payable by the State.*—At the commencement of each year a consolidated sanction will be issued by the State Government detailing the amounts and instalments of payments to the various Panchayat Samitis and Zila Parishads during the year in respect of (a) grants for liabilities transferred

18. *Monthly account.*—Officers in charge of the various institutions and schemes shall furnish to the Vikas Adhikari a statement of actual receipts and expenditure each month by 10th of the following month and such other information as may be required regarding the progress of actuals. The Vikas Adhikari on the basis of information available with him and that furnished by the sub-ordinate authorities will keep a watch over the progress of receipts and expenditure and shall see that the recoveries are regularly made and that the expenditure is kept within the budget allocations.

19. *Half yearly review.*—A review will be conducted by the Vikas Adhikari or the Secretary, as the case may be, every year in the month of November on the basis of actuals for the first six months available and put before the Panchayat Samiti Zila Parishad.

20. *Special provision for year ending 31-3-1960.*—The State Government may, by notification, modify the procedure laid down in this chapter to the extent necessary for the budget for the year ending 31st March, 1960.

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22. *Checks to leakage of revenue.*—In order to ensure that all the revenue collected is correctly brought to account and there is no leakage, the Vikas Adhikari/Secretary will see that adequate checks are exercised and may, for this purpose, arrange to have test inspections of account of receipts carried out.

23. *Revenue arrears.*—No amount due to the Panchayat Samiti/Zila Parishad should be left outstanding without sufficient reasons and, where such dues appear to be irrecoverable the orders of the competent authority for their adjustment, remission, reduction of demand, or write off must be sought without any avoidable delay.

24. *Credit of follow actual realisation.*—No sum may be credited as revenue unless it has been actually realised; the credit must follow and not precede the actual realisation.

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25. *Drawal of money.*—Money will not be drawn from the Fund unless it is required for immediate disbursement on an item of expenditure under any rule or on a specific order of the competent authority.

26. *Standard of Financial propriety.*—Every officer incurring or authorising expenditure on behalf of the Panchayat Samiti/Zila Parishad should be guided by the established standards of financial propriety detailed in Appendix 'B' and must exercise the same vigilance as a person of ordinary prudence would exercise in respect of expenditure of his own money.

27. *Liability not to be increased without budget provision.*—Subject to the provision to sub-section (4) of section 37 of the Act, no authority will incur expenditure or enter into any liability unless there is a budget provision for it and the expenditure has been sanctioned by the competent authority.

28. *Operation period of sanction.*—Sanction of any authority to an expenditure becomes operative as soon as funds are allocated to meet it and remains in operation for the year or for a specific period, if any, subject to provision of funds from year to year if the term exceeds one year in any particular case.

29. *Delays in payment.*—Delays in the payment of money indisputably due is contrary to all rules and should be avoided.

30. *Control of expenditure.*—The Vikas Adhikari/Secretary must see that not only the total expenditure is kept within the limits of authorised appropriation, but also that the funds allotted are expended in the interest and service of the Panchayat Samiti/Zila Parishad and upon objects for which provision has been made. In order to exercise proper control, he should keep himself closely acquainted with the progress of expenditure, commitments, and liabilities incurred but not paid.

## CHAPTER IV

### Grants and Loans by the State Government

31. *Grant in aid payable by the State.*—At the commencement of each year a consolidated sanction will be issued by the State Government detailing the amounts and instalments of payments to the various Panchayat Samitis and Zila Parishads during the year in respect of (a) grants for liabilities transferred

by the State Government to the Panchayat Samitis, (b) annual *ad hoc* grants by the State Government and (c) grants for schemes which may be transferred by the Government.

32. *Authorisation to Treasuries.*—The Accountant General will be immediately on receipt of the sanction issue a consolidated authority to the Treasuries at the commencement of the year to place at the credit of the Panchayat Samiti/Zila Parishad in their respective Personal Deposit Accounts in the Treasuries every month the sums specified in the sanction. Intimation of such credit will be sent by the Treasury Officer to the Panchayat Samiti/Zila Parishad concerned.

33. *Instalment of payment.*—(1) One sixth of the total estimated amount of grant-in-aid for the year may be paid in advance in April and onetwelfth in every following month till the month of February.

(2) In case of specific items of non-recurring nature or expenditure of seasonal character, the State Government may permit drawal of money in instalments otherwise than as indicated above.

34. *Grant-in-aid for liabilities transferred*—Grants-in-aid to a Panchayat Samiti may be given to the extent of the amount required to discharge liabilities in respect of institutions or schemes transferred to it including liabilities arising out of the services rendered or supplies made to or for the institutions or schemes prior to the date of transfer.

35. *Transfer of immovable property.*—The Panchayat Samitis will not gift, sell, or otherwise alienate in any other manner immovable properties transferred to it by the State Government without the prior approval of the State Government.

34. *Utilisation of the funds under approved schemes.*—Funds placed at the disposal of a Panchayat Samiti by the State Government by way of grant for schemes under any head may be utilised for any of the approved schemes under that head laid down in the Department Memoranda, provided that (a) funds shall not be diverted from any scheme specifically indicated by the State Government in this behalf nor shall the pattern of such scheme be altered without the approval of the State Government, and (b) no continuing schemes shall be left in an incomplete state, without such approval.

A scheme for the purpose of this rule shall include an institution and the obligation that no continuing scheme be left in an incomplete state shall be construed, in respect of an existing institution, imply that no such institution shall be closed or discontinued without the approval of the State Government.

37. *Rendition of accounts and returns.*—Panchayat Samitis will render such accounts and submit returns to the State Government and other district officers as have been prescribed in these rules or may be provided in the conditions relating to the grants.

38. *Review of expenditure.*—The Panchayat Samitis will send to the State Government a review of expenditure incurred in the various schemes for which grant-in-aid has been received in the months of October and February every year.

39. *Utilisation certificate.*—In cases in which conditions are attached to the utilisation of a grant specifying the particular object of expenditure or the time within which the money must be spent, it will be the responsibility of the Panchayat Samiti to see that the money is well spent and the Vikas Adhikari will secure and furnish the utilisation certificate in fulfilment of these conditions.

40. *Inspection of works and records.*—Officers of the State departments concerned shall have the right of inspection of works of the Panchayat Samitis for which grant-in-aid is given as also the records connected therewith and to give such technical assistance and directions for the execution of schemes as are found necessary and the Panchayat Samitis shall abide by those instructions.

41. *Loans from the State Government.*—Sanctions for loans to be advanced to the Panchayat Samitis in a year will be issued by the State Government as and when necessary. Copies of the sanctions will be sent to the concerned Treasuries and Accountant General. The Accountant General will immediately on receipt on the sanction authorise the Treasuries to place at the credit of the Panchayat Samitis concerned the necessary sums in their Personal Deposit Accounts with the Treasuries. Intimation of such credit will be sent by the Treasury Officer to the Panchayat Samitis concerned.

42. *Interest calculation.*—Interest on the loans will be charged from dates on which credits are afforded in the relevant Personal Deposit Accounts.

43. *Bonds for Loans.*—The amount of the loans will be paid to a Panchayat Samiti by the Treasury only after a proper bond in the form No. 6 has been signed by the Vikas Adhikari on behalf of the Panchayat Samiti and tendered to the Treasury for transmission to the State Government.

44. *Advancing of loans and maintenance of accounts.*—It will be the duty and responsibility of the Panchayat Samiti to advance loans out of the money so made available to individuals or societies and to maintain detailed accounts of all these

loans as also to effect recoveries from the parties to whom the loans have been given. Repayment of the amount of instalment (Principal sum and interest accrued thereon) that has become due to the State Government, shall be made on the dates prescribed in the bond irrespective of the fact whether the particular recovery has been made from the parties concerned.

44A. *Advance for purchase of cycles* —(1) If funds permit, advances for purchase of cycles may be granted by the Panchayat Samiti/Zila Parishad to its employees on receipt from such an employee an application in FAB Form No. 25. The grant of such an advance shall be subject to the following conditions:—

- (i) The number of instalments prescribed for the recovery of the advance shall not exceed twenty four. It shall be open to an employee to refund the advance in a lesser number of instalments.
- (ii) The surety bond of a permanent employee of the Panchayat Samiti/Zila Parishad in FAB Form No. 26 shall be produced before an advance sanctioned to a temporary employee of the Panchayat Samiti/Zila Parishad.
- (iii) The Panchayat Samiti/Zila Parishad shall satisfy that the employee is likely to continue in service till such time as the advance is completely recovered.
- (iv) The possession of such a cycle shall, in the opinion of the Panchayat Samiti/Zila Parishad adds to the efficiency of the employee concerned.
- (v) In the event of a temporary employee being discharged before the advance is completely recovered, the remaining balance of the advance shall be recovered, in one lump sum before discharge.
- (vi) The cycle purchased with the advance shall be hypothecated to the Panchayat Samiti/Zila Parishad and shall be considered to be the property of the Panchayat Samiti/Zila Parishad until the advance with the interest accrued thereon has been fully repaid. Execution of an agreement deed in Form FAB 27 shall be necessary in case of an advance for purchase of cycle to such employees.
- (vii) Advance for the purchase of a cycle shall be limited to Rs. 300/- and advance in excess of this amount shall not be allowed. If the advance taken is more than the actual price paid for the cycle the balance shall be refunded to the Panchayat Samiti/Zila Parishad.

*Note*—Unless shown to the satisfaction of the Panchayat Samiti/Zila Parishad, that the cycle which was previously purchased with an advance from Panchayat Samiti/Zila Parishad, is beyond repairs or lost further advance for the purpose of cycle, shall not be granted within three years of the advance of the previous advance.

(viii) The advance so made shall be utilised for the purchase of cycle solely and not for any other purchase otherwise the whole amount so advanced shall be refundable immediately together with interest accordingly thereon from the date the advance, is made upto the date of its refund

(2) The amount to be recovered monthly towards the repayment of the advance shall not be effected if an employee proceeds on privilege leave. If while an advance is outstanding, the employee proceeds on leave on half average pay or is placed under suspension, the Panchayat Samiti/Zila Parishad may during such period of leave on half pay and of suspension, suspend the recovery of the advance, provided that the total period for which recovery is suspended does not exceed more than a year in all.

(3) Simple interest at the rate of 6% per annum shall be charged on the balance outstanding on the last day of each month. The amount of interest shall be recovered in one or more instalments, each such instalments being not appreciably greater than the instalments in which the principal is recovered. The recovery of the interest shall commence from the month following that in which the repayment of the principal has been completed. The amount of advance to be recovered monthly shall be fixed in the whole rupee except in the case of the last instalment when the balance of a rupee shall be recovered.

(4) Each Panchayat Samiti/Zila Parishad shall maintain a statement in FAB Form No. 28 showing monthly recoveries made relating to cycle advance sanctioned to its employee.

(5) In case where employees, after drawing the advance, fail to comply with the requirements of the above rule, they shall be liable to refund whole of the loan amount advanced with compound interest at a penal rate of 9% p.a.

(6) After the FAB Form No. 24 the following new forms shall be inserted, namely:—

FAB Form No. 2,

FAB Form No. 26,

FAB Form No. 27 and

FAB Form No. 28.

45. *Repayment of loans*.—Loans granted to the Panchayat Samiti by the State Government will be the first charge on the



Fund and the Panchayat Samiti shall make payments of instalments regularly on the due dates failing which the State Government may adjust the amount due out of the grant-in-aid payable to it or take other suitable steps to recover the money.

## CHAPTER V

### Rules For Payment Of Money Into, And Drawal Of Money From The Treasury

46. *Account with Treasury.*—(1) Each Panchayat Samiti/Zila Parishad will have a Personal Deposit Account with a Treasury which will be maintained in the form of a banking account. All receipts and payments relating to the Fund at the Treasury will be passed through this accounts and the Officer-in-charge of the Treasury will be responsible to (i) furnish a consolidated certificate of monthly receipts and payments, (ii) note the transactions occurring directly in the Treasury in the Pass-Book and (iii) verify the balance at the end of the month.

(2) All sums paid into the Treasury and all payments made on cheques from the Treasury shall be entered in the Pass Book in the Form No. 7 to be obtained from the Treasury. At the close of each months entries on each side of the Pass Book shall be totalled and the balance struck and the Pass Book sent to the Treasury for verification and certificate of the Treasury Officer.

47. *Payment of money into the Treasury.*—Handling of cash should, as far as possible, be avoided and in case of receipts in excess of Rs. 100/—, the office of the Panchayat Samiti/Zila Parishad shall always direct its collecting agencies and other persons from whom sums are due, to pay the money direct to the credit of the Fund in the connected Treasury.

48. *Remittance and Treasury Challan.*—Money received in the office the Panchayat Samiti/Zila Parishad shall be remitted into the Treasury promptly. Accumulation of cash in the departmental chest beyond the authorised limit should always be avoided. Remittance of money will be made in the Treasury through Treasury Challans in the Form No. 8 prepared in triplicate duly signed by the Head of Office and an entry of such remittance shall be made in the Cash Book under his initials. The original copy of the Challan will be handed over to the party paying the money and the duplicate foil of the challan, received back duly receipted by the Treasury, shall be filed separately as a voucher in support of the remittance. The challan will show distinctly the nature of payment, the name of person through whom money is being paid and from whom it has been received, and all other information necessary for the

preparation of the receipt to be given in exchange, and proper accounts classification of the credit.

49. *Drawal of Funds*.—Money shall be drawn from the account of the Fund in the Treasury by means of cheques. A reference to cheque number and date will invariably be given on the relative bill so that no double payment of the same bill may be made.

50. *Payment to third parties*.—All cheques payable to the third parties will be handed over to them for obtaining payment direct from the Treasury.

51. *Specimen signatures*.—Specimen signatures of the Vikas Adhikari/Secretary/Pradhan/Pramukh will be sent to the Treasury (including the Sub-Treasury).

51. *Cheque books*.—Cheque books shall be obtained from the connected Treasury with which the account of the Fund has been kept.

53. *Counting of foils*.—All cheque books when received will be counted and each foil of the cheque book distinctly marked with a rubber stamp bearing the name of the Panchayat Samiti/Zila Parishad.

54. *Custody of Cheque books*.—All cheque books blank or used except one under use shall be kept under the lock and key in the personal custody of the Vikas Adhikari/Secretary.

55. *Period of currency*.—Cheques shall be payable any time within one month after the date of issue.

56. *Endorsements*.—All cheques preferable at the Treasury for payment, being non-negotiable instruments, can be endorsed only in favour of the specific party to whom the money is to be paid.

## CHAPTER VI

Rules Relating to Accounts in the Office of Panchayat Samiti/Zila Parishad and Subordinate Offices/Institutions

57. *Cash Book*.—A Cash Book for keeping a record of the receipt and payment of money on behalf of the Panchayat Samiti/Zila Parishad shall be maintained in form No. 9 in the office of the Panchayat Samiti/Zila Parishad and other subordinate offices and institutions where such receipts and payments take place.

58. *Entry of Cash Book*.—All cash transactions shall be entered in the Cash Book in full as soon as they occur and attested by the Head of the office in token of check.

59. *Closing of Cash Book*.—The Cash Book shall be closed regularly and completely checked by the Head of the office who shall initial each entry in token of its correctness.

60. *Verification of Cash Balance.*—At the end of each month the Head of Office should verify the cash balance in the Chest with the balance in the Cash Book and record a signed and dated certificate to the following effect—

“Certified that the cash balance has been checked and found to be as under—

In case there is any difference between the actual cash and the balance as per Cash Book the same shall be explained. A surprise check shall also be made once or twice a month to ensure that the cash balance in hand agrees with the cash book. As and when this check is exercised, the certificate as given above shall be recorded by the Head of Office.

61. *Comparison of Challan.*—When money is paid into the Treasury, the Head of Office making such payment should compare the Treasury Officer's receipt on the challan and the Treasury Pass Book with the entry made in the Cash Book before attesting it, and satisfy himself that the amount has actually been credited into the Treasury.

62. *Fetching of cash.*—Employment of Class IV servants to fetch or carry money should be discouraged. The money should be obtained from or remitted into the treasury only through an employee of some length of service, proved trustworthy, and who was offered sufficient security.

63. *Cashier and his responsibility.*—For handling cash there shall be a cashier. If there is no separate cashier, the duties of receipt and custody of cash shall be performed by such officials as the Vikas Adhikari/Secretary may direct in this behalf. Such an official will be required to give adequate and valid security commensurate with the amount of cash likely to be kept in his sole custody.

64. *Custody of cash.*—(1) All cash in the departmental cash chest of the Panchayat Samiti/Zila Parishad shall be kept in strong iron chest under double lock arrangement. All the keys of the same lock shall be kept in one person's custody, and the key of one lock shall be kept apart from the keys of the other lock and always in different person's custody. The chest shall never be opened unless both the custodians of the keys are present.

(2) Keys of one of the locks shall be kept by the Head of Office and of the other by the Cashier.

(3) The Panchayat Samiti/Zila Parishad may prescribe the limit up to which money may be held in the departmental cash chest, subject to a maximum of Rs. 5,000/-

65. *Receipt of money.*—(1) When money is collected and paid into any of the offices of the Panchayat Samiti/Zila Pari-

shad by the tax payers or others; a receipt shall be given to the person making the payment of money in Form No. 10. The receipt shall be signed by the Cashier and by the Head of Office in token of having received the money— who will also satisfy himself that the amount has been properly entered in the Cash Book.

(2) The amount in the receipts shall be written both in figures and words.

66. *Custody of Receipt Books*—The blank receipt books must be kept under lock and key in the personal custody of the Head of Office.

67. *Account of Receipt Books*—Before a receipt book is brought into use, the number of forms contained therein shall be counted and the result recorded in a conspicuous place in the receipt book over the signature of the Head of Office. Counter-foil of used receipt books shall be kept in his personal custody. The account of the receipt and issue of receipt books will be kept separately maintained in the stock-register.

68. *Receipt of money by money order or cheque.*—(1) When money is received by means of a money order, the Head of Office shall at the time of signing the money order receipt cause an entry for the amount to be made in Register of Money Orders, Cheques, Bank Drafts etc., received. The money order coupon shall be handed over to the Cashier along with the money who will make an entry in the Cash Book. The money order coupon shall be filed as a receipt voucher in support of the entry made in the Cash Book.

Note—A separate receipt in Form X shall be issued in case of remittances received by money orders for which a distinct indication of the fact will be given in the receipt.

(2) When money is received by means of a cheque or demand draft, the Head of Office shall cause an entry of the cheque to be made in the register under his own initials and send a letter acknowledging the cheque to the person sending it. A receipt in Form FAB:X for the amount will, however be issued when the cheque is encashed and the amount is brought to account in the Cash Book.

69. *Presentation of claims.*—(1) All claims for payments will be prepared in Form FAB 14-A meant for the purpose and will be presented at the office of the Panchayat Samiti/Zila Parishad where they will be checked and passed for payment by the Vikas Adhikari/Secretary.

(2) Bills may be paid either by drawing cheques on the Personal Deposit Account with the Treasury, or in cash from

the Departmental Cash Chest. If a payment is ordered to be made in cash from the Departmental chest, a pay order will be enfaced distinctly on the bill "Pay by cash out of chest"

70. *Pay orders.*—All pay orders for money drawn on bills out of the Fund shall be signed by the Vikas Adhikari/Secretary. After cash has been drawn on these bills, officers of the institutions or schemes who are authorised to incur expenditure will arrange payment, attest the fact of payment on the voucher and maintain a properly vouched account of such payments in their offices.

71. *Completeness of claim.*—The officer making a payment order is personally responsible to see that the claim is complete and genuine in all respects and affords sufficient information as to the nature of payment made.

72. *Vouchers.*—For every payment of money made the officer spending money of the Fund shall obtain a voucher setting forth full and clear particulars of the claim, and all information necessary for its proper classification in the accounts. Every voucher must bear or have attached to it an acknowledgment of the payment signed by the person by whom or in whose behalf, the claim is put forward. The acknowledgment shall be taken at the time of payment.

Every voucher must bear a pay order signed or initialled by the Vikas Adhikari/Secretary or the officer-in-charge of the institution/scheme specifying the amount payable both in words and figures.

73. *Marking of vouchers.*—All vouchers must be stamped or written in red ink 'Paid' so that may not be used second time.

74. *Destruction of vouchers.*—Vouchers must be retained for the period which may be laid down for each class of payment and in any case they will not be destroyed before the audit of the period has been completed.

75. *Classification of receipts and expenditure.*—(1) In respect of all account heads the classification as prescribed in these Rules should be followed strictly.

(2) The classification on bills should be recorded by the officer drawing the bill while that on the challans should be recorded by the officer responsible for the collection of dues and making remittance into the Treasuries. A reference of the bills for which payment is being made through cheques will be given on the back of the counter-foil of the cheque to facilitate reference to the original voucher on which the charge has been raised.

75-A Deposits may be received as earnest money of the intending tenders or security money of Contractors, and cashiers and store keepers employed by the institution. A list of depositors with balances standing to the credit of their account, at the end of the year will be prepared and endorsed with the statement of Assets and Liabilities in Form No. 11.

75-B. (1) Every cashier or store-keeper of the Panchayat Samiti/Zila Parishad who is entrusted with the custody of cash or stores should be required to furnish security; the amount of security to be fixed by the Vikas Adhikari/Secretary according to the circumstances and local conditions. Detailed rules in regard to the form of security, payment of interest, refund of security, payment of special pay to the official depositing the security and renewal of security item are given in Appendix-C.

(2) Whenever a private person or firm contracts to supply stores or execute a work, he should, unless exempted by the Panchayat Samiti/Zila Parishad, be required to give security for the due fulfilment of the contract and suitable provision regarding security should be incorporated in the agreement.

## CHAPTER VII

### RULES REGULATING MAIN ITEMS OF EXPENDITURE

76. *Pay and allowances.*—(1) Pay and allowances of the officers and servants of the Panchayat Samitis and allowances to their members shall be second charge on the resources of the Fund.

(2) Pay and allowances of the officers and servants of the Zila Parishads and allowances to their members shall be a first charge on the resources of the Fund.

(3) In case the Panchayat Samiti/Zila Parishad for any reasons fails to make the payment of the pay and allowances of their officers and servants and allowances to their members after they have become due, the State Government may, after calling an explanation for such failure to pay from the panchayat Samiti/Zila Parishad, cause such payment to be made out of the Fund.

(4) For the purpose of making payments referred to in the preceding sub-rules, the State Government may direct the Vikas Adhikari to freeze the cash balances and other assets of the Panchayat Samiti.

(5) The Vikas Adhikari shall prepare a list of liabilities in order of priority of the charge referred to in sec. 35.

(6) Out of the cash balances so frozen, State Government may direct the Vikas Adhikari to draw the amount required to be paid and make payment accordingly.

77. *Due date.*—Pay and allowances earned by the servants for the labour of the month shall become due for payment on the first working day of the following month.

78. *Deduction from pay.*—(1) The duty of making proper deductions from pay bills on account of Provident Fund, State Insurance, and other funds, Income-tax and house rent deductions etc., shall devolve on the drawer of the bill.

(2) The Vikas Adhikari/Secretary will issue a cheque in favour of the Treasury Officer in respect of the amounts of these deductions and send it to the Treasury Officer duly supported with the schedules in accordance with the rules or directions issued by the department concerned.

79. *Acknowledgement of pay.*—The Head of Office is personally responsible for the amount drawn on a bill signed by him until he has paid it and obtained a legally valid receipt for it from the payee.

80. *Pay on transfers.*—In case of transfers the pay due in respect of the old post which has not been drawn for part of the month at the time of transfer will be drawn at the old headquarters from where transfer is being effected and on all such occasions a last pay certificate signed by Vikas Adhikari/Secretary will be obtained to enable the servant to draw his pay from the new place of posting.

80A. *Advances on transfer.*—(1) Advances may be made to a servant of the panchayat Samiti or Zila Parishad under orders of transfer, except a transfer on his own request, upto an amount not exceeding one month's pay plus the travelling allowance to which he may be entitled under the rules in consequence of the transfer. Such allowance may be sanctioned by the head of the office and can be drawn in the old office for which the transfer is made or in the case of advance of pay in the new office where the person so transferred joins.

(2) The advances shall be recorded on the last pay certificate of the person proceeding on transfer and where no such advance is drawn the last pay certificate shall contain a clear certificate to this effect. Where only one of the said two advances is drawn, the fact shall be clearly stated in the last pay certificate. The advance of pay shall be recovered from the pay of the person in not more than three monthly instalments, the recovery commencing from the month in which the person concerned draws a full months pay, including joining

time pay or/and leave salary on joining his new appointment. The advance of travelling allowance shall be recovered in full from such person before the expiry of six months of the drawal of such advance irrespective of the fact that no such transfer travelling allowance bill has been submitted by the person concerned or on submission of the travelling allowance bill of the person concerned pertaining to such transfer, whichever is earlier.

(3) Wherever the transfer of the person is from one place to another under the Panchayat Samiti or Zila Parishad, the Vikas Adhikari or the Secretary of the Zila Parishad, as the case may be, or if the transfer is on a post under the Government, the head of the office shall deduct the advance made to such person at the time of his transfer and remit the same for credit to the P. D. account of the Panchayat Samiti or the Zila Parishad, as the case may be, which made the advance.

81. *Other Charges*—All incidental and other miscellaneous expenses incurred for the management of an office or for administrative and technical working of institution/scheme will be classed as 'other charges'. This class of expenditure is of flexible and fluctuating nature and the utmost care has to be taken to economise it. The officer drawing the bill shall be responsible to see that the items of expenditure included in the bill are of obvious necessity and any articles purchased have been secured at fair and reasonable rate.

82. *Drawal of advance for other charges*.—Payment of contingent charges should be made on duly supported vouchers with payees receipts or on firms or contractors' *proforma* bills, and drawal of advances should not be allowed unless required for meeting any special nature of expenditure.

83. *Works expenditure*.—Works expenditure would consist of constructions, improvement, and maintenance of roads, small buildings, minor irrigation works, wells, and tanks, etc. Authorisation classification, execution and accounting of these works will be regulated by the detailed subsidiary instructions issued on the subject.

84. *Approval of Standing Committee*.—No work should be commenced or liability incurred unless approval of the concerned Standing Committee has been obtained, a proper plan has been made out, estimates have been sanctioned, and funds to cover the charge have been provided. The Panchayat Samiti may delegate powers to its subordinate bodies or officers for incurring works expenditure within the defined monetary limits.



85. *Scope of sanctioned estimates.*—Works shall be executed in accordance with technically approved plans and estimates. Any anticipated or actual savings on a sanctioned estimate for a definite work should not be applied to carry out any additional or new work not contemplated in the original work.

86. *Grant-in-aid works.*—Grant-in-aid works i. e. works requiring peoples' participation will only be undertaken when the peoples' matching contribution in the shape of labour, money or material is assured and actually forthcoming.

87. *Schedule for rates.*—In carrying out works departmentally or by contract, the P.W.D. schedule of rates applicable in the area will be taken as a guide for regulating the rates of all the detailed items of works commonly executed by Panchayat Samitis. The schedule will be kept upto date to facilitate preparation of the estimates, and serve as a guide to watch the actual performance of works executed departmentally.

88. *Completion certificate.*—Whenever works are executed out of the grant-in-aid and the work has to be completed within a specified time, a completion certificate obtained on the basis of measurements, etc., taken by the Overseer or the Assistant Engineer will be signed by the Vikas Adhikari, and kept on record to show that the work has been completed and the grant given for the purpose has been fully utilised on it.

89. *Refunds of revenue.*—Before admitting any demand for refund of revenue the original credit must be traced in the Cash Book and the relative Treasury Challan or receipt be also inked and an entry should distinctly be made in these documents of the sum ordered to be refunded so as to guard against double or erroneous entertainment of a second claim. Where the tax or cess is to be refunded, a cross reference against the connected entry shall also be given in the Demand and Collection Register.

90. *Entitlement to refund.*—Refund of revenue can be made only on the demand of the person entitled to receive the money after production of proper authority, and on no account money will be drawn on the receipt of the Head of Office and kept in the departmental chest.

[91. x x x]

[92. x x x]

93. *Permanent advance.*—A permanent advance of a suitable amount may be allowed where necessary to an officer to enable him to make payments of a petty nature. The sum allowed shall be fixed on the calculation of actual cash expenditure.

true so that recoupment may not be made more often than two times a month.

*Note*—The amount of permanent advance already held by the existing institution transferred to the Panchayat Samitis will be refunded.

94. *Acknowledgement of permanent advance.*—Each officer who has obtained a permanent advance shall, on the first of April every year, sign an acknowledgement of the amount held in his custody as permanent advance and send it to the Vikas Adhikari/Secretary.

## CHAPTER VIII

### Stores

95. *Stores.*—Stores will include all items of expendable and issuable nature as also dead-stock of non-consumable nature purchased or acquired for use in the service of the Panchayat Samiti/Zila Parishad.

96. *Purchase and receipt of stores.*—(1) Purchase of stores must be made in the most economical manner, in accordance with the definite requirements. Stores should not be purchased in small quantities. At the same time care should be taken not to purchase stores much in excess of actual requirements. All stores received should be examined, counted, measured or weighed while taking delivery and a certificate of having received them in full and in good condition will be given on the firms, Bills/Invoices by the official receiving such stores. No bill will be passed for payment without such certificate.

(2) In making purchase of stores competitive tenders or quotations shall be invited for the supply of all articles by giving adequate publicity, unless the value of the order to be placed is too small (below Rs. 50/-) and it is considered uneconomical to call for tenders in which case the articles of comparable quality will be purchased at the cheapest price available in the market.

(3) Articles of stationery and printed forms and registers will be obtained on payment from the Government Printing & Stationery Department, by sending indent direct to the concerned office of the Printing and stationery Department. In case of emergencies to be so certified by the Vikas Adhikari petty purchases of stationery and printing articles direct from the market would be permissible.

(4) For standardised articles of stores and stock like medicines, instruments, fertilisers, implements, live-stock etc.

and other material of technical nature purchases should be made from or through the concerned Government Department.

97. *Custody*.—The officer of the Panchayat Samiti/Zila Parishad entrusted with the custody of stores will be responsible for their safety. They should keep them in good and efficient condition protecting them from loss, damage and deterioration. When the stores have become useless or obsolete, or are rendered surplus and cannot be put to any profitable use, a survey report will be prepared by the Head of Office/Institution/Scheme and submitted for sanction of write off by the competent authority.

98. *Physical verification*.—In keeping an account of the stores and its custody all the care will be taken by the Head of office/Institution/Scheme, and if any loss or damage occurs due to the negligence of any servant of the fund, it will be treated as much a loss as if it were a loss of cash. A physical verification of stores will be carried out at least once in six months by the Head of the office/Institution/Scheme and in token of his having done so, he will record a certificate and make note of any other salient facts regarding excess, shortage, unusual depreciation of stores etc.

99. *Utilisation of stores*.—Stores will be issued on jobs or works pertaining to the Panchayat Samiti/Zila Parishad only on the indents of officials concerned and in no case, any private sale or other kind of business will be carried out of these stores.

## CHAPTER IX

### Account, Audit and Returns

100. *Responsibility in regard to accounts*.—It is the responsibility of the Vikas Adhikari/Secretary to see that all the officers who receive or pay money on behalf of the Panchayat Samiti/Zila Parishad maintain proper accounts thereof in such manner that information in regard to all receipts and expenditure could be deduced therefrom as laid down in the Act. All accounts shall be kept so clean, the details so fully recorded, and the initial record of payments made so clear, explicit, and self-contained as may produce a convincing and satisfactory evidence of the facts.

(2) The Vikas Adhikari/Secretary shall render accurately and promptly such accounts and returns exhibiting the position of those transactions as the State Government may prescribe from time to time.

101. *Accounts and returns of the Panchayat Samiti.*—(1) A quarterly statement of account of income and expenditure under the heads prescribed by these rules will be sent to the State Government in Form No. 12 and such portion thereof to the District Level Officer as relates to the activities concerned with his Department. Such quarterly accounts for the quarter ending June, September, December and March should be despatched to the quarters concerned at the latest by the 15th day of the month following the quarter to which the accounts relate. A progressive total of all items of income and expenditure provided in the Budget will be made out while preparing such statement of account and figures advised to the Zila Parishad.

(2) At the end of each year the Panchayat Samiti shall prepare an abstract of annual accounts in Form No. 13 showing its income and expenditure under each head of Budget and send it to the District Development Officer by following 1st May. This abstract of annual accounts will be accompanied by a Statement of Grants-in-aid in Form No. 14 showing the grant-in-aid received during the year under the various schemes, from the State Government, expenditure incurred against each scheme supported by the utilisation certificate signed by the Vikas Adhikari clearly mentioning that the grant in entirety or in part has been spent specifically for the objects and purposes for which it was given, the accounts of which have been properly maintained, and the connected vouchers are in his custody. If however, sanction was given to the diversion of funds from one head to the other, mention of such sanction shall be made in the certificate. The District Development Officer will closely scrutinize these statements and send them to the State Government with his comments, a copy of which will also be given to the Panchayat Samiti.

(3) Each Panchayat Samiti will prepare a statement in Form No. 15 of the loans received from the State Government under various heads, other loans raised by the Panchayat Samiti, the amounts of instalment, that have become due for repayment to the State Government, amounts actually repaid and the balance due from the Panchayat Samiti and send this statement with the annual account.

(4) Along with the annual account a list of works undertaken under the various schemes with the progress of expenditure as provided in Form No. 16 will also be entitled.

(5) The annual account will also be accompanied by a statement of Assets and Liabilities of the Panchayat Samiti in Form No. 11.

102. *Accounts and returns of the Zila Parishads.*—(1) Every Zila Parishad shall prepare quarterly statement of its income and expenditure under each head of the budget and send it to District Development Officer who shall submit the same with his comments thereon to the State Government not later than 15th day of the month following on the quarter to which the accounts relates.

(2) Every Zila Parishad shall prepare an Annual Account of the income and expenditure under each head of the budget and send it by the following 1st May to the District Development Officer who shall submit the same with his comments thereon to the State Government not later than 15th of May, each year.

103. *Account Books.*—(1) The accounts of the Panchayat Samiti/Zila Parishad shall be kept in the account books prescribed below—

#### Panchayat Samitis

1. Cash Book (Form No. 9)
2. Classified Abstract of Receipt and Expenditure (Forms No. 17 and 17-A).
3. General Ledger (Form No. 18).
4. Demand Collection Register (Form No. 5).
5. Register of loans received from the State Government (Form No. 19) and Register of Repayments (19-A).
6. Register of works (Form No. 20).
7. Imprest Cash book (Form No. 21).
8. Register of Grant-in-Aid (Form No. 22).
9. Investment Register (Form No. 23).
10. Register of Securities (Form No. 24).

#### Zila Parishads

1. Cash Book (Form No. 9).
2. General Ledger (Form No. 18).

(2) The Examiner may with the approval of the State Government prescribe any other books and forms which may be deemed necessary.

104. *Audit of accounts.*—The audit of the accounts of the Panchayat Samiti/Zila Parishad shall be governed by the provisions of the Rajasthan Local Fund Audit Act, 1954, and Rajasthan Local Fund Audit Rules, 1955, made under the said Act. A test audit of the accounts may also be carried out on behalf of the Comptroller and Auditor General of India.

105. *Arrangements for audit.*—The Panchayat Samiti/Zila Parishad shall make suitable arrangements to enable the auditor to hold his office for conducting audit, and shall keep all records, statements etc., ready for purpose of audit and produce these in the manner as demanded by the audit.

106. *Preparation of financial statement.*—The Panchayat Samiti/Zila Parishad shall prepare the financial statements prescribed by the Local Fund Audit Rules, 1955, and actual accounts of the period for which audit has become due, and produce these when demanded by the audit.

107. *Audit Report.*—The audit report of the Examiner, shall be sent to the Panchayat Samiti/Zila Parishad. A copy of the Panchayat Samiti will also be sent to the District Development Officer who will see that the irregularities pointed out in the audit report are promptly attended to and rectified.

108. *Compliance of the report.*—The Panchayat Samiti/Zila Parishad shall promptly attend to the requisition and objection statements issued during the audit and return them with the least possible delay to audit. Compliance of the audit reports sent by the Examiner shall be made in accordance with the procedure laid down in rule 28 of Rajasthan Local Fund Audit Rules, 1955.

109. *Pay and allowances of Gazetted Servants.*—Until otherwise prescribed, the pay and allowances of Gazetted Government Servants placed at the disposal of the Panchayat Samiti/Zila Parishad will be drawn on the basis of pay-slips and authorities issued by the Accountant General.

## CHAPTER X

### LOSSES, WRITE OFFS. ETC.

110. *Responsibility of officers—defalcation losses and write off etc*—Every officer of the Panchayat Samiti/Zila Parishad should realise fully and clearly that he will be held personally responsible not only for any loss sustained by the Panchayat Samiti/Zila Parishad through fraud negligence on his part but also for the loss arising out of fraud or negligence on the part of any servant to the extent to which it may be shown that he contributed to the loss by his own action or negligence.

111. *Enquiries.*—Whenever any loss of money, revenue or receipt, stamps, stores or other property held by or on behalf of the fund caused by defalcation or fraud is discovered, the Vikas Adhikari/Secretary shall make a report to the controlling authority appointed by the Government under the Local Fund Audit Act, 1954 and a copy thereof shall be sent to the Examiner.

- (6) Development of Local Manurial Resources.
- (7) Plant production.

4. Irrigation—

A—Irrigation-Community Development.

B—Others—

5. A—Health & Rural Sanitation (Community Development)

B—Others—

(1) Vaccination.

(2) Family Planning.

(3) Rural Water Supply Scheme.

6. A—Education (Community Development)

B—Others—

(1) (i) Primary Schools and direct grants to private institution (Non-Plan.)

(ii) Opening of New Primary Schools under Plan.

(2) Additional teachers in the existing primary schools

(3) Conversion of primary schools into Basic schools.

(4) Opening of schools to relieve educated un-employment.

(5) Scheme for expansion of girls education.

(6) Works.

7. A—Social Education (Community Development)

B—Others—

8. A—Communication (Community Development)

B—Others—

9. A—Rural Arts and Crafts and Industry (Community).

B—Others—

(1) Handloom Industry.

(2) Cottage Industry.

(i) Training and Production Centres.

(ii) Common facility centres.

(iii) Rural arts and crafts training centres.

(iv) Gadia Lohars Workshops.

(3) Handicrafts.

10. Housing (Community Development).

11. Co-operation—

A—Grant-in-aid to Co-operative Societies—

B—Construction of Godowns.

Subsidy.

12. Social Welfare—

A—Scheme for the welfare and development of scheduled tribes in scheduled area.

(1) Education.

(2) Economic Uplift.

(3) Public Health, Better Housing and other schemes.

B—Scheduled Castes—

(1) Education.

(2) Economic Uplift.

(3) Public Health, Better Housing and other schemes.

C—Denotified Tribes—

(1) Education.

(2) Other schemes.

D—Other Backward Classes—

(1) Education.

(2) Other schemes.

E—Centrally sponsored schemes.

13. Maintenance of Buildings.

14. Forests—

A—Creation of Paddocks for grazing.

B—Village forests.

15. Other expenditure—

A—Audit fees.

B—Grant-in-aid to Panchayats for Local Department Works.

16. Distribution of Loan—

A—Community Development.

B—Others—

(1) Agricultural loans.

(i) Short term loans for seeds etc.

(ii) Long term loans.

(2) Industrial loans.

(3) Loans for Rural Housing.

(4) Construction of Godowns.

Repayment of Loans.

Advances.



## BUDGET ESTIMATES OF PANCHAYAT SAMITIS

Name of Panchayat Samiti .....

Name of District.....

### Heads of Receipt

1. Grants for liabilities is transferred by the State Government to Panchayat Samitis.
  - A—Establishment.
  - B—Animal Husbandry.
  - C—Agriculture Extension.
  - D—Irrigation.
  - E—Health and Rural Sanitation.
  - F—Education.
  - G—Social Education.
  - H—Communication.
  - I—Rural Arts and Crafts and Industry.
  - J—Housing.
  - K—Co-operation.
  - L—Social Welfare.
  - M—Maintenance of Building.
  - N—Forests.
  - O—Others.
2. *Ad hoc* grant.
3. Grants for new schemes transferred by the State Government and Bodies.
  - A—Contribution for schemes initiated by the Government.
  - B—Grant of schemes transferred by other Local Bodies.
4. Donations and contributions received from Local Authorities or from the public.
5. Shares of Land Revenue.
6. Proceeds from taxes and fees imposed by the Panchayat Samiti.
7. Sale proceeds of immovable and movable properties.
8. Income from bone-contracts.
9. Income arising in consequence of hearing of appeals.
10. Income arising from the collect of Entertainment-tax.
11. Other income/receipts.
  - Loans—
    - A—Loans advanced by Government.
    - B—Loans raised by Panchayat Samitis.
  - Recovery of Loans.
  - Deposits.

*Note:*—More sub-heads may be opened according to requirement

## BUDGET ESTIMATES OF ZILA PARISHADS

### Receipts

1. Grants-in-aid from the State Government.
2. Contribution from the Panchayat Samitis.
3. Other Receipts.
4. Deposits.

### Expenditure

1. Establishment.
2. Other Expenditure.
3. Advances.

**Note:**—Major head is a main head of account for the purpose of classifying the Receipts and Expenditure and is prefixed 'Numerals'.

Minor head is subordinate to Major head and is prefixed by "Capital letters."

## APPENDIX "B"

[Rule 26 of the Rajasthan Panchayat Samitis and Zila Parishads (Financial, Accountant and Budget) Rules, 1959.

### Standards of Financial Propriety

Every Officer incurring or authorising expenditure out of the Fund should be guided by high standards of financial propriety. Among the principles on which emphasis is generally laid are the following:—

- (i) Every Officer is expected to exercise the same vigilance in respect of expenditure incurred out of the Fund as a person of ordinary prudence would exercise in respect of expenditure of his own money.
- (ii) The expenditure should not be *prima facie* more than the occasion demands.
- (iii) No authority should exercise its power of sanctioning expenditure to pass an order which will be directly or indirectly to its own advantage.
- (iv) Money out of the Fund should not be utilised for the benefit of a particular person or section of the community unless—
  - (1) the amount of expenditure involved is insignificant, or
  - (2) a claim for the amount could be enforced in a court of law, or
  - (3) the expenditure is in pursuance of a recognised policy or custom.

(v) The amount of allowances granted to meet expenditure of a particular type should be so regulated that the allowances are on the whole a source of profit to the recipients.

## APPENDIX "C"

[Rule 75-B (1) of the Rajasthan Panchayat Samitis and Zila Parishads (Financial, Accounts and Budget) Rules, 1959.

### Rules for Security Deposits

(1) Security to be taken from an employee or a contractor or firm should be in one of the following forms subject to the conditions noted against each, or partly in one, and partly in another of these forms when this is specially permitted by the officer authorised to accept the security:—

Forms	Conditions
(i) Cash	Fund will not pay any interest on the deposit.
(ii) Promissory notes and stock certificates of the Central Government or State Government, Municipal debentures or Port Trust Bonds.	These securities should be accepted at 5 per cent below the face value.
(iii) Post Office Savings Bank Pass Books.	The depositor should sign and deliver to the Post Master a letter in the prescribed form as required by the postal rules.
(iv) Post Office Cash Certificates, Defence Savings Certificates & National Savings Certificates.	The certificate should be formally transferred to the Vikas Adhikari/Secretary who takes the deposit with the sanction of the Head Post Master, and should be accepted at their surrender value at the time of tender.
(v) Treasury Savings Certificates and National Plan Certificates.	The Certificates should be accepted at their surrender value.
(vi) Deposit receipts of recognised banks approved by the Government for the purpose.	(1) The deposit receipt should be made out in the name of the pledgee or, if it is made out in the name of the pledger, the bank should certify on it that the deposit can be withdrawn only on the

demand, or, with the sanction of the pledgee.

(2) The depositor should in writing undertake any risks involved in the investment.

(3) The bank should agree that on receiving a signed treasury challan and a withdrawal order from the pledgee in respect of the deposit, or any part thereof, it will at once remit the amount specified into the nearest treasury along with the challan, and send the treasury receipt to the pledgee.

(4) The responsibility of the pledgee in connection with the deposit and the interest on it will cease when he issues a final withdrawal order to the depositor and sends an intimation to the Bank that he has done so.

(vii) Fidelity bonds from Insurance Companies of reasonable financial standing. A fidelity bond may be accepted as security from the servant of the Fund, but not from a private party. The bond should be in the prescribed form.

(2) Security furnished in cash by an employee or a contractor may be converted, at the cost of the depositor, into any one of the interest-bearing forms of security mentioned in item (ii) to (vi) of the preceding para, provided:—

- (i) that the depositor has expressly requested in writing that this be done, and
- (ii) that the acceptance of the new form or forms of security is permissible under the rules and under the terms of the agreement or bond.

**Notes:**—1. Cash actually received or recovered may be converted into an interest-bearing form of security even when it forms part of a deposit which is being paid in instalments and has not yet been realised in full.

2. Percentage deductions made from a contractor's bill held as security for the due fulfilment of a contract should not be converted into any other form of security unless there is special rule or order for such conversion.

(3) When an employee of the fund has furnished security in the form of a fidelity bond, the Vikas Adhikari/Secretary receiving the bond should see that the employee pays the pre-

(v) The amount of allowances granted to meet expenditure of a particular type should be so regulated that the allowances are on the whole a source of profit to the recipients.

## APPENDIX "C"

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### Rules for Security Deposits

(1) Security to be taken from an employee or a contractor or firm should be in one of the following forms subject to the conditions noted against each, or partly in one and partly in another of these forms when this is specially permitted by the officer authorised to accept the security:—

Forms	Conditions
(i) Cash	Fund will not pay any interest on the deposit.
(ii) Promissory notes and stock certificates of the Central Government or State Government, Municipal debentures or Port Trust Bonds.	These securities should be accepted at 5 per cent below the face value.
(iii) Post Office Savings Bank Pass Books.	The depositor should sign and deliver to the Post Master a letter in the prescribed form as required by the postal rules.
(iv) Post Office Cash Certificates, Defence Savings Certificates & National Savings Certificates.	The certificate should be formally transferred to the Vikas Adhikari/Secretary who takes the deposit with the sanction of the Head Post Master, and should be accepted at their surrender value at the time of tender.
(v) Treasury Savings Certificates and National Plan Certificates.	The Certificates should be accepted at their surrender value.
(vi) Deposit receipts of recognised banks approved by the Government for the purpose.	(1) The deposit receipt should be made out in the name of the pledgee or, if it is made out in the name of the pledger, the bank should certify on it that the deposit can be withdrawn only on the

demand or, with the sanction of the pledgee.

(2) The depositor should in writing undertake any risks involved in the investment.

(3) The bank should agree that on receiving a signed treasury challan and a withdrawal order from the pledgee in respect of the deposit, or any part thereof, it will at once remit the amount specified into the nearest treasury along with the challan, and send the treasury receipt to the pledgee.

(4) The responsibility of the pledgee in connection with the deposit and the interest on it will cease when he issues a final withdrawal order to the depositor and sends an intimation to the Bank that he has done so.

(vii) Fidelity bonds from Insurance Companies of reasonable financial standing. A fidelity bond may be accepted as security from the servant of the Fund, but not from a private party. The bond should be in the prescribed form.

(2) Security furnished in cash by an employee or a contractor may be converted, at the cost of the depositor, into any one of the interest-bearing forms of security mentioned in item (ii) to (vi) of the preceding para, provided:—

- (i) that the depositor has expressly requested in writing that this be done, and
- (ii) that the acceptance of the new form or forms of security is permissible under the rules and under the terms of the agreement or bond.

**Notes:**—1. Cash actually received or recovered may be converted into an interest-bearing form of security even when it forms part of a deposit which is being paid in instalments and has not yet been realised in full.

2. Percentage deductions made from a contractor's bill held as security for the due fulfilment of a contract should not be converted into any other form of security unless there is special rule or order for such conversion.

(3) When an employee of the fund has furnished security in the form of a fidelity bond, the Vikas Adhikari/Secretary receiving the bond should see that the employee pays the pre-

nia necessary to keep it alive on the due dates and continues to do so until a period of six months has elapsed since he vacated his office. If the employee of the fund fails to deliver the premium receipt to the Vikas Adhikari/Secretary in time, he should be removed from his post at once.

4. A security deposit taken from an employee should be retained for at least six months from the date when he vacates his post, but security bond should be retained permanently or until it is certain that there is no further necessity for keeping it.

5. Without the special orders of the Vikas Adhikari/Secretary, no security should be repaid or re-transferred to the depositor, or otherwise disposed of except in accordance with the terms of his security bond or agreement.

6. The Vikas Adhikari/Secretary on returning any security to the depositor should invariably obtain his acknowledgement duly signed and witnessed. When an interest-bearing security is returned or re-transferred, the acknowledgement should set forth full particulars.

7. The percentage deduction from bills held as security in connection with contracts to execute works should not be refunded till the final bills has been prepared and passed.

8. All securities including fidelity bonds and security bonds should be kept in the safe custody of the Vikas Adhikari/Secretary.

9. The question whether a particular form of security tendered is or is not satisfactory from the point of view of its acceptance or otherwise is for Vikas Adhikari/Secretary to decide at his discretion after examining all the aspects of the case.

10. The security amount shall be fixed with due regard to the value of cash, stores etc. which would remain in the sole custody of the employee. Cashiers and Store Keepers employed in the fund required to furnish security in any one of the acceptable forms shall be eligible to draw special pay at the following rates :

Amount of Security	Scale of Special Pay per month.
Rs. 500/-	Rs. 3/-
Rs. 1000/-	Rs. 5/-
Rs. 1500/-	Rs. 7/-
Rs. 2000/-	Rs. 10/-

Attempt to pitch the amount at a higher figure than absolutely necessary in order merely to enable the employee to a higher rate of Special Pay should be guarded against.

FAB FORM No. 1

Abstract of the Budget Estimates of Panchayat Samiti/Zila Parishad....  
by Major Heads of Account.  
for ... ..

(See Rule 4)

Receipts					
Heads.	Actuals for previous year.	Budget Estimates for current financial year.	Revised Estimates for current financial year.	Estimates for	Heads
1	2	3	4	5	6
Expenditure					
Actuals for Previous year.	Budget Estimates for current financial year.	Revised Estimates for current financial year.	Estimates for	Remarks	
7	8	9	10	11	

FAB FORM No. 2

Budget Estimates of Receipts of Panchayat Samiti/Zila Parishad.....  
for.....

(See Rule 4)

Actuals					Actuals			
S. No.	Account head.	195-5	195-5	195-5	Budget Estimates for	October to March	April to Sep.	Totals of columns 7 & 8
1	2	3	4	5	6	7	8	9
Revised Estimates for					Budget Estimates for	Increase, (×) or Decrease (—) between columns		
						Remarks		
		6 & 10		10 & 11				
10		11		12		13		14



## FAB FORM No. 3

Budget Estimates of expenditure (Consolidated) of Panchayat Samiti/

Zila Parishad ..... For the Year.....

(See Rule 4)

Number		Account Head	Actuals			Budget Estimates for 195-6
196-6	196-6		195-5	195-5	195-5	
1	2	3	4	5	6	7

Actuals					Increase (+) or Decrease (—) between Columns		
October 195 to March 195.	April 195 to Sept. 195	Total of Columns 8 & 9	Revised Estimates for 195-5	Budget Estimates for 195-6	6 and 10	11 and 12	Remarks
8	9	10	11	12	13	14	15

## Detailed Estimates of Fixed Charges viz-Pay of Officers and Establishment of Panchayat Samiti/Zila Parishad for the year

( See Rule 4 )

Account Head.	Serial No.	Name of Number.	Designation	Sanctioned pay of the post	Minimum	Rate of increment.	Maximum	Actual pay due on 1st March	Amount of provision for the period	Date of increment from march to Feb.	Amount of increment	Total provision for the period i.e. the current year.	Revised Estimates for the current year.	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	

FAB FORM No. 4

Statement showing the actual expenditure of Panchayat Samiti/Zila Parishad.....for .....

(See Rule 4)

Head.	Original Budget	Change during the year.....	Final budget for the year ...	Actuals	Variations.	Remarks.
1	2	3	4	5	6	7

## FAB FORM No. 5

## Demand and Collection Register

( See Rule 21 )

Connecting			DEMAND			COLLECTION																	
S. No. of the village of assessment list No.	reference	No.	Current Demand		Arrears of last year		Total Demand		April		May		June		July		August		September		October		
			Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	
			4	3	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
November			December		January		February		March		Total amount of Collection		Amount of Write off		Balance at the end of year		Signature of Head of office		Remarks				
Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.
8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

FAB FORM No.6

Bond

THIS BOND is made the.....day of.....19.....in favour of the Governor of the State of Rajasthan (hereinafter called 'the Government') by shri ..... Vikas Adhikari Panchayat samiti..... (hereinafter called 'the borrower') on behalf of the said Panchayat Samiti.

Whereas the Government have agreed to advance a loan to the Panchayat Samiti..... of Rs..... the receipt of which the borrower hereby does acknowledge.

And whereas a bond on behalf of the Panchayat Samiti is required to be executed under the rules.

Now, therefore, the borrower binds himself in the sum of Rs..... to the said Government firmly and does hereby further covenant—

(1) That the above loan shall be utilised for all or any of the following purpose:—

(a).....

(b).....

(c).....

(2) The aforesaid loan shall bear interest at the rate of .....per cent.

(3) The amount of loan shall be repayable in.....equal half/yearly instalments and the first instalment shall fall due on.....

(4) The arrears of unpaid interest at the end of every six months shall be added to the principal sum.

(5) If the instalment are not paid on the due dates, the Government will be at liberty to charge interest at the rate of .....on the amount that has become due, and may recover it by deduction from the grant-in-aid payable to the.....Samiti and shall also be free to realise it as arrears of land revenue.

(6) The borrower further agrees that the said loan shall be utilised for the specific objects mentioned above and if any part of the said loan remains unutilised the same shall be refunded to the Government.

For and on behalf of the  
Panchayat Samiti ....

Vikas Adhikari  
Panchayat Samiti.....

Witness..... (I)

Witness.....(II)

## FAB FORM 7

## Pass Book

(See Rule 46)

Date and Month	Date and No. of Cheque/ Challan	Receipts.	Payment.	Balance.	Initials of Officer with a rubber stamp.
----------------------	--	-----------	----------	----------	---

## Instruction to be printed on the Pass Book.

- (i) Entries would be made in the Pass Book by the Cashier for all transaction of remittances into or withdrawals from the Treasury made through the office of the fund, and by the Treasury/Sub-Treasury Officer for direct remittances made into the Treasury.
- (ii) Each entry in the Pass Book shall be initialled by the Treasury Officer/Sub-Treasury Officer under a rubber stamp of Treasury/Sub-Treasury after comparison of the original entry made in the register of the Personal Ledger Account.
- (iii) At the close of the month entries on the each side of the Pass Book shall be totalled and balance struck, compared with the Cash Book, and difference, if any shall be reconciled.
- (iv) The Pass Book shall thereafter be sent to the Treasury/Sub-Treasury Officer for verification and certificate of the Treasury Officer/Sub-Treasury Officer of the balance.
- (v) Pass Book will be kept in the lock and key and under personal custody of the Vikas Adhikari/Secretary.

## FAB FORM No. 18

## General Ledger

(See Rule 103)

Head of Account .....

Date	Particulars	Cash Book Folio No.	Dr. Amount	Cr. Amount	Balance Amount
------	-------------	---------------------------	---------------	---------------	-------------------

## FAB FORM No. 8

Panchayat Samiti .....

Zila Parishad.....

(See Rule 48)

Challan No.

Creditable to Public Account S—Deposits & Advances-II-  
Deposit not bearing interest.

Challan of cash paid into Treasury/Sub-Treasury at.....

By whom tendered	Name and Designation of the person on whose behalf money is paid	Full Particulars of remittance and of authority	Amount	Head of Account	Order to the Bank
			Rs. P.		

Date.....  
Signature with full designation of the officer ordering the money to be paid.

Signature

... ..

Total in figures and words.

( For use in Treasury )

Received.

Total (in figures)

Total (in words)

Treasurer

Account

Date

Treasury/Sub-Treasury  
Officer.

## FAB FORM No. 9

## Cash Book

( See Rule 57 )

Receipts						
Date	Receipt/ Challan/ Cheque No.	Particulars	Cash	Treasury	Classification Account Head	
1	2	3	4	5	6	
		Rs. P.	Rs. P.			
Payments						
Date	Cheque/ Bill/ Challan No.	Particulars	Voucher	Cash	Treasury	Classification Account Head
7	8	9	10	11	12	13
		Rs. P.				

## FAB FORM No. 10

(See Rule 65)

(Counterfoil)

..... Samiti/Parishad.  
No.  
Book No.  
Received from Shri... ..  
Demand Slip No.....

Item No. Particulars  
of of Period. Amount.  
Demand Payment.  
Register.

Total in words.....

.....  
Cashier  
.....  
Head of Office.

## FAB FORM No. 10

(See Rule 65)

Receipt

..... Samiti/Parishad.  
No.  
Book No.  
Rs.

Received from Shri.....  
(Rs. in words).....  
on account of .....

for the period.....  
in full payment of Demand Slip  
No..... dated.....

Date.

.....  
Cashier.  
.....  
Head of Office.

## FAB FORM No. 11

Statement of Assets and Liabilities for the year.....

(See Rule 75A)

Panchayat Samiti.....

Liabilities.

Assets.

Head	Amount	Head	Amount
1. Deposits—		1. Loans	
(1) Security Deposits from Government servants.. ...		(1) Agriculture .....	
(2) Deposits from contractors and Firms .....		(2) Taccavi .....	
(3) Other Deposits .....		(3) Co-operative .....	
Total .....		(4) Industrial .....	
		(5) Community Development .....	
2. Loans Repayable to the State—		Total.....	
(1) Agriculture .....		2. Advances	
(2) Taccavi .....		(1) Miscellaneous Advance .....	
(3) Co-operative .....		(2) Permanent Advance .....	
(4) Industrial .....		(3) Advance to Government servants .....	
(5) Community Development .....		Total .....	
Total ....		3. Investment	
3. Other Loans		Total .....	
Total .....		4. Cash Balance	
		in hand.....	
		in P D. A/c.....	
		Total .....	

## FAB FORM No. 12

.....Panchayat Samiti.

.....District.

Account for the quarter ending on.....19.....

(See Rule 101)

No.

Dated.

Forwarded to the Accounts Officer, Panchayat and Development Department, Government of Rajasthan, Jaipur for information and necessary action.

(Signature of Vikas Adhikari)  
Samiti .....

Name of Vikas Adhikari.....

Name of Accountant.....



[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

1	2	3	4	5	6	7	8	9	10
(13) Lump Sum provision Normalised Blocks.									
(14) Gadia Lohar Work=									
shops.									
(15) Dye Houses.									
(16) Toy making Centres.									
(17) Decorative Dari Niwar									
Centres.									
(18) Paripatetic Training									
Centres.									
(19) Leather Footwear									
Centres.									
(20) Common Facility									
Centres.									
(21) Small Scale Industries-									
cum-production Centres.									
(22) Agricultural Implement									
Centres.									
(23) Foot wear and Leather									
goods Industries.									
(24) Tanning Demonstration									
Centres.									
(25) Bamboo Basket, Girwa.									
(26) Common Facility Centre									
for Wool (Handloom)									
(27) Common Facility									
Centres (S.S.I.)									
(28) Design Centres for									
Handicrafts.									
(29) Looms and Accessories.									
(30) Industrial Co-operatives.									
Total B									

10. Housing (C. D.)

11. Co-operation.

(1) Subsidy for Co-opera-  
tive Societies.

(2) Subsidy for Large  
Sized Societies.

(3) Subsidy for Marketing  
Societies.

(4) Co-operative Farming.



[illegible]



(2) Other Development Schemes.

(3) Shadow and Pre-Extension Blocks.

B—Others.

1. Agriculture.

(1) Short term loans for seeds etc.

(2) Pumping sets.

(3) Improved Agricultural Implements.

(4) Persian wheels.

(5) Fruit development.

(6) Construction of wells.

(7) Local Manurial Resources.

(8) Soil Conservation.

(9) Tanks.

(10) Tube Wells.

Industries.

(1) Looms & Accessories.

(2) Village Industries in Blocks.

3. Animal Husbandry.

(1) Cattle Breeding, Sheep breeding, and Poultry breeding farms.

4. Rural Housing.

5. Co-operation.

(1) Construction of Godowns.

6. Taccavi Advances.

7. Minor Irrigation Works.

8. Flood, Fire etc. Sufferers.

9. Water Supply Scheme.

10. Other Loans.

Total 16

17. Repayments of loans.

(1) Principal.

(2) Interest.

Total-17

18. Advances

19. Suspense

Grand Total

Closing abstract for the Month of .....19.....

*Heads of Classifications. Receipts. Payments.**Opening Balance.*

1. cash
2. Treasury

Total—Receipts/Payments for the month

Closing Balance —

1. Cash
2. Treasury

Total—

Certified that the cash balance has been physically examined by actual count and agrees with the account balance. The Samiti figures of remittances made into Treasury and cheques drawn have been reconciled with the Treasury/sub-treasury and the differences, if any, between the treasury and Panchayat Samiti Accounts has been explained in the Cash Book.

2. I further certify that the expenditure entered in the account could not with due regard to the interest of the Samiti be avoided and to the best of my knowledge and belief the payments included in this account have been duly made to the parties entitled to receive them. I have obtained vouchers for all the payments made and am personally responsible to see that they cannot be used again.

*Vikas Adhikari*  
Panchayat Samiti  
—————]

Date.....

FAB FORM No. 13

Abstract of Annual Account for the year..... ..

[See Rule 101 (2)]

Panchayat Samiti.....

Account Head No. with Symbol.	Principal Heads of Revenue.	Budget Provision	Actuals	Savings-Excess+
1	2	3	4	5

1. Grants for liabilities transferred by the State Government to Panchayat Samitis :—

- A—Establishment.
- B—Animal Husbandary
- C—Agriculture Extension.
- D—Irrigation.
- E—Health and Rural Sanitation.
- F—Education.
- G—Social Education.
- H—Communication.
- I—Rural Arts and crafts and Industry.
- J—Housing.
- K—Co-operation.
- L—Social Welfare.
- M—Maintenance of Buildings.
- N—Forests.
- O—Others.
- 2. *Ad hoc grant.*
- 3. Grants for new schemes transferred by the State Government and Bodies.
  - A—Contribution for schemes initiated by the Government
  - B—Grant of schemes transferred by other Local Bodies.
- 4. Donations and contributions received from Local authorities or from the public.
- 5. Share of Land Revenue.
- 6. Proceeds from taxes and fees imposed by the Panchyat Samitis.
- 7. Sale proceeds of immovable and movable properties.
- 8. Income from bone contracts.
- 9. Income arising in consequence of hearing of appeals.
- 10. Income arising from the collection of Entertainment-tax.
- 11. Other Income/receipts—
  - Loans—
    - A—Loans advanced by Government
    - B—Loans raised by Panchayat Samitis.
  - Recovery of Loans—
  - Deposits.

Note.—More sub-heads may be opened according to requirements.

## PAYMENTS

Account Head No. with symbol.	Heads of Expenditure.	Amount
1	2	3
1. A—Establishment (C. D. & N. E. S.)		
B—Others—		
(1) Agriculture.		
(2) Health and Rural Sanitation.		
(3) Co-operation.		
(4) Education.		
(5) Industries.		
(6) Panchayats.		
(7) Statistics.		
2. A—Animal Husbandry (C. D. & N. E. S.)—		
B—Others—		
(1) Sheep and Wool.		
(2) Poultry.		
(3) Key Village Scheme.		
(4) Animal Husbandry.		
	<u>Total 2.</u>	
3. A—Agriculture Extension (C. D. & N. E. S.)		
B—Others—		
(1) Soil Conservation.		
(2) Fisheries.		
(3) Seed production farms.		
(4) Manure production and distribution.		
(5) Phosphatic Manure.		
(6) Development of Local Manurial Resources.		
(7) Plant protection.		
4. Irrigation—		
A—Irrigation-Community Development.		
B—Others.		
5. A—Health & Rural Sanitation (Community Development)		
B—Others—		
(1) Vaccination.		
(2) Family Planning.		
(3) Rural Water Supply Schemes.		

6. A—Education (Community Development)

B—Others—

(1) (i) Primary Schools and direct grants to private institutions (Non-Plan.)

(ii) Opening of New Primary Schools under Plan.

(2) Additional teachers in the existing primary schools.

(3) Conversion of primary schools into Basic schools.

(4) Opening of schools to relieve educated unemployment.

(5) Scheme for expansion of girls education.

(6) Works.

7. A—Social Education (Community Development)

B—Others—

8. A—Communication (Community Development)

B—Others—

9. A—Rural Arts and Crafts and Industry (Community Development).

B—Others—

(1) Handloom Industry.

(2) Cottage Industry.

(i) Training and Production Centres.

(ii) Common facility centres.

(iii) Rural arts and crafts training centres.

(iv) Gadia Lohars Work shops.

(3) Handicrafts.

10. Housing (Community Development).

11. Co-operation—

A—Grant-in-aid to Co-operative Societies—

B—Construction of Godowns.

Subsidy.

12. Social Welfare—

A—Scheme for the welfare and development of scheduled tribes in scheduled area.

(1) Education.

(2) Economic Uplift.

(3) Public Health, Better Housing and other schemes.

B—Scheduled Castes—

(1) Education.

(2) Economic Uplift.

(3) Public Health, Better Housing and other schemes.

C—Denotified Tribes—

(1) Education

(2) Other schemes.

D—Other Backward Classes—

- (1) Education.
- (2) Other schemes.

E—Centrally sponsored schemes.

13. Maintenance of Buildings.

14. Forests—

A—Creation of Paddocks for grazing.

B—Village forests.

15. Other expenditure—

A—Audit fees.

B—Grant-in-aid to Panchayats for Local Development Works.

16. Distribution of Loan—

A—Community Development.

B—Others—

(1) Agricultural loans.

(i) Short term loans for seeds etc.

(ii) Long term loans.

(2) Industrial loans.

(3) Loans for Rural Housing.

(4) Construction of Godowns.

Repayment of Loans.

Advances.

FAB FORM No. 14

Statement of Grant-in-aid Received and Spent during  
the year.....

[See Rule 101 (2)]

Panchayat Samiti.....

S. No.	Department	Name of the Scheme	Amount received during the year	Amount spent during the year	Particulars about com- pletion certificate etc.
1	2	3	4	5	6

Particulars of Journey and Halt										Name	Designation	Pay			
Departure Station	Date	Hours	Arrival Station	Date	Hours	Kind of Journey i.e. by rail (mail or passenger), Steamer air, road of Motor Lorry.				Railway / Motor Lorry / Steamer Air/Journey Fares					
1.	2	3	4.	5	6					Class	No. of Fares	Amount			
						7				8	9	10			
													Rs.	P.	

Distance Travelled by road or by Motor Lorry				No. of days for which allowance claimed.	Head of Account		Month	Total....
For which mileage is admissible.		For which daily allowance is admissible	Actual Expenditure					
At ordinary rates	At other rates		Particulars		Amount	Purpose of Journey or halt		
11	12	13	14	15	16	17	18	19
				Rs. P.				

Rs. P. Contents received

Rail, aeroplane or Steamer fare (Col. 10)

Road mileage

Miles @ .... (Col. 11)

Miles @ .... (Col. 12)

days for which daily allowance is claimed (Col. 14) @

Actual expenses (Col. 16)

Deductions

Single Permanent Travelling Allowance  
Double

@ for

Deduct hire due to the P.S.

Other deductions—

Total deductions

Net claim ....

Rupees.....

Abbreviated Classification in bold letters

Please pay to..... Signature

CERTIFICATES

1. Certified that I was not provided with any free locomotion at the expense of Government, Local Fund or a local body.
2. Certified that the payment of this bill has not been received before.
3. Certified that I have actually travelled in the same class of accommodation for which T.A. has been claimed.
4. Certified that on Sunday or other holiday for which daily allowance has been claimed by me, I was actually in camp.

Signature of Gazetted Officer who travelled.

Date

MEMO

	Rs.	P.
(a) Appropriation for 19 —19	...	...
Expenditure including this bill	...	...
Balance	...	...

(a) If there is a combined appropriation for travelling allowance of gazetted and non-gazetted Government Servants the combined appropriation and expenditure should be shown in this column.



Assessed for Rs..... Date.....	Counter Signature	
Rupees ( in words ) ..... Controlling Officer (Vikas Adhikari)		
Please pay Rs. .... Examined .....	For Office use Rupees ( in words ) .....	
Accountant ..... Payee's discharge Received payment on.....	Date ..... District ..... Vikas Adhikari	
Signature .....	Paid Rs..... on ..... Vide cash book No. .... Cashier .....	For Office use ..... Vikas Adhikari

FAB 14 A II  
 Panchayat Samiti.....  
 District.....

**TRAVELLIN ALLOWANCE BILL OF THE ESTABLISHMENT**

Name and designation	Head-quarters	Actual pay	Particulars of journeys and halts				Kind of journey by rail (mail or passenger) Steamer, air road or Motor Lorry				No. of fares		Amount
			Departure	Arrival	Station	Date	Hour	Class	Motor Lorry	Steamer/Aeroplane	11	12	
1	2	3	4	5	6	7	8	9	10				13
											Rs. P.		

Total

OF FOR THE MONTH.....19

Mileage by road or Motor Lorry			Daily allowance			Actual expenses		Purpose of journey	Total of each line	Remarks
No. of miles	Rate	Amount	No. of days	Rate	Amount	Particulars	Amount			
14	15	16	17	18	19	20	21	22	23	24
					Rs.	P.	Rs.	P.		

Total.....

Amount (in words) date  
Station

Vikas Adhikari  
Panchayat Samiti

Counter signature

Controlling Officer

Date: Vikas Adhikari

Passed for Rs. Rupees (in words)

Abbreviated classification

For Treasury use

Treasury/Bank

pay Rs. Rupees (in words)

Examined and entered Panchayat Samiti Accountant Date Vikas Adhikari

Payees discharge  
Received payment

Paid Rs. on

Vide Cash Book item No.

on Signature

Cashier

Vikas Adhikari

FAB FORM No. 14-A/III  
PANCHAYAT SAMITI.....  
**CONTINGENT BILL**

Bill No.			19	
District	Detailed Bill of Contingent charges of for the month of			
	Head of Account			
Number of voucher	Particulars	Amount	Rs.	P.
			Total.... only (in words)	

Rupees

To be entered by drawing office

Received contents.

Signature and designation of  
the Drawing Officer (Vikas  
Adhikari)

Pay Rupees  
Accountant

Appropriation for the current year  
Expenditure including this bill  
Amount of works bill annexed  
Balance available.

Vikas Adhikari

FOR OFFICE USE

Date  
Station

Paid Rs.

on

Vide Cash Book item

Cashier

Vikas Adhikari

FAB FORM No. 15  
Statement of Loans Received from the Rajasthan Government and Payments made during the year .....  
[See Rule 101 (3)]  
Panchayat Samiti..... ..

S. No.	Name of Department to which the loan relates	Reference of No & date of sanction	Purpose for which loan was granted	Dates on which loan was received	Number of instalment fixed	Amount received	Amount that became due for repayment during the year including arrears if any	Amount actually repaid	Balance of unpaid instalment if adjusted out of grant-in-aid
1	2	3	4	5	6	7	8	9	10

FAB FORM No. 16  
List of works for the year .....  
[ See Rule 101 (4) ]  
Panchayat Samiti..... ..

S.No.	Name of village	Particulars of work	Date of Commencement	Amount sanctioned	Amount spent	Other particulars whether carried out departmentally or through contract, date of completion etc.
1	2	3	4	5	6	7

## FAB FORM No. 17

Classified Abstract of Revenue/Receipts

[See Rule No. 103 (1)]

Month of .....for ... ..

No.	Heads	Budget Allotment
1	2	3
1.	Grants for liabilities transferred by the State Govt. to Panchayat Samitis— A—Establishment B—Animal Husbandary C—Agriculture Extension D—Irrigation E—Health and Rural Sanitation F—Education G—Social Education H—Communication I—Rural Arts and Crafts and Industry J—Housing K—Co-operation L—Social Welfare M—Maintenance of Building N—Forests O—Others	
2.	Ad hoc grant	
3.	Grants for new schemes transferred by the State Govt. & Bodies A—Contribution for schemes initiated by Government B—Grant of Schemes transferred by other Local Bodies	
4.	Donations and contributions received from Local authorities or from the public	
5.	Share of Land Revenue.	
6.	Proceeds from taxes and fees imposed by the Panchayat Samitis	
7.	Sale proceeds of immovable and movable properties	
8.	Income from bone contracts	
9.	Income arising in consequence of hearing of appeals	
10.	Income arising from the collection of Entertainment-tax	
11.	Other income/receipts Loans— A—Loans advanced by Govt. B—Loans raised by Panchayat Samitis Recovery of loans Deposits	

Note—More sub-heads may be opened according to requirements

Days of the Month

1	2	3	4	5	6	7	8	9
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.
			4					

Days of the Month

10	11	12	13	14	15	16
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.
			4			

Days of the Month

17	18	19	20	21	22	23
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.
			4			

Days of the Month

24	25	26	27	28	29	30
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.
			4			

Total Receipts  
for month

Total Receipts  
upto last  
months

Progressive  
Total of  
Receipts

31  
Rs. P.

5

6

7

## Part II

## FAB FORM No. 17-A

## Classified Abstract of Expenditure

[See Rule No. 103 (1)]

Month ..... year.....

No.	Heads	Budget Allotment
1	2	3

## 1. A—Establishment (C. D. &amp; N. E. S.)

## B—Others—

- (1) Agriculture
- (2) Health and Rural Sanitation
- (3) Co-operation
- (4) Education
- (5) Industries
- (6) Panchayats
- (7) Statistics

## A—Animal Husbandry (C. D. &amp; N. E. S.)

## B—Others—

- (1) Sheep & Wool
- (2) Poultry
- (3) Key Village Scheme
- (4) Animal Husbandry

Total 2

## A—Agriculture extension (C. D. &amp; N. E. S.)

## B—Others—

- (1) Soil Conservation
- (2) Fisheries
- (3) Seed production farms
- (4) Manure production & distribution
- (5) Phosphatic Manure
- (6) Development of Local Manurial Resources
- (7) Plant protection

## Irrigation—

## A—Irrigation—Community Development

## B—Others

## A—Health and Rural Sanitation (Community Development)

## B—Others

- (1) Vaccination
- (2) Family Planning
- (3) Rural Water Supply Scheme

## A—Education (Community Development).

Days of the Month

1	2	3	4	5	6	7	8	9
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.

4

Days of the Month

10	11	12	13	14	15	16
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.

4

Days of the Month

17	18	19	20	21	22	23
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.

4

Days of the Month

24	25	26	27	28	29	30
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.

4

Total Expenditure  
for month

Total Expenditure  
upto last  
months

Progressive  
Total of  
Expenditure

31

Rs. P.

5

6

7



## Part II

## FAB FORM No. 17-A

## Classified Abstract of Expenditure

[See Rule No. 103 (1)]

Month.....year.....

No.	Heads	Budget Allotment
1	2	3

## B—Others—

(1) (i) Primary Schools and direct grants to private institutions (Non-Plan).

(ii) Opening of New Primary Schools under plan

(2) Additional teachers in the existing primary Schools

(3) Conversion of Primary Schools into Basic Schools

(4) Opening of Schools to relieve educated unemployment

(5) Scheme for expansion of girls education

(6) Works

7. A—Social Education (Community Development)

B—Others

8. A—Communication (Community Development)

B—Others—

9. A—Rural Arts and Crafts and Industry (Community Development)

B—Others

(1) Handloom Industry

(2) Cottage Industry

(i) Training and Production Centres

(ii) Common Facility centres

(iii) Rural Arts &amp; Crafts Training Centres

(iv) Gadia Lohars Workshops

(3) Handicrafts

10. Housing (Community Development)

11. Co-operation—

A—Grant-in-aid to Co-operative Societies.

B—Construction of Godowns.

Subsidy—

Days of the Month

1	2	3	4	5	6	7	8	9
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.
			4					

Days of the Month

10	11	12	13	14	15	16
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.
			4			

Days of the Month

17	18	19	20	21	22	23
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.
			4			

Days of the Month

24	25	26	27	28	29	30
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.
			4			

Total Expenditure  
for month

Total Expenditure  
upto last  
months

Progressive  
Total of  
Expenditure

31			
Rs. P.			
	5	6	7

Part II

FAB FORM No. 17-A  
Classified Abstract of Expenditure  
[See Rule No. 103 (1)]

Month .....year .....		
No.	Heads	Budget Allotment
1	2	3
12.	Social Welfare—	
	A—Scheme for the welfare and development of Scheduled Tribes in Scheduled area—	
	(1) Education	
	(2) Economic Uplift	
	(3) Public Health, Better Housing and other schemes	
	B—Scheduled Castes—	
	(1) Education	
	(2) Economic Uplift	
	(3) Public Health, Better Housing and other schemes	
	C—Denotified Tribes—	
	(1) Education	
	(2) Other schemes	
	D—Other Backward Classes	
	(1) Education	
	(2) Other schemes	
	E—Centrally sponsored schemes	
13.	Maintenance of buildings	
14.	Forests—	
	A—Creation of Paddocks for grazing	
	B—Village forests	
15.	Other Expenditure—	
	A—Audit fees	
	B—Grant-in-aid to Panchayats for local development works	
	Distribution of Loan	
	A—Community Development—	
	B—Others—	
	(1) Agricultural loans—	
	(i) Short term loans for seeds etc.	
	(ii) Long term loans	
	(2) Industrial loans	
	(3) Loans for Rural Housing	
	(4) Construction of Godowns.	
	Repayment of Loans	
	Advances.	

Days of the Month

1	2	3	4	5	6	7	8	9
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.

4

Days of the Month

10	11	12	13	14	15	16
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.

4

Days of the Month

17	18	19	20	21	22	23
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.

4

Days of the Month

24	25	26	27	28	29	30
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.

4

Total Expenditure  
for month

Total Expenditure  
upto last  
months

Progressive  
Total of  
Expenditure

31

Rs. P.

5

6

7

## FAB FORM No. 19

## Register of Loans Received from the State Government

[ See Rule 103 (1) ]

Serial No.	Number and Date of order sanctioning the loan	Purpose for which loan has been sanctioned	Head of Account	Date of receipt of loan	Amount	Rate of interest	Repayment of instalment that becomes due		Initial of Head of Office	Remarks
							Month	Amount & Year		
1	2	3	4	5	6	7	8	9	10	11

FAB FORM No. 19-A

Year .....

Register of Repayment of loans .....

[ See Rule 108 (1) ]

Reference of the serial No. and year down from the Loan Register	Balance of loan brought down from the previous year	Months of the year												Total amount of Repayment made during the year	Amount, if any, that remained unpaid during the year (including interest money)	Balance of Loan payable at the end of the year
		April	May	June	July	August	September									
		Amount due	Amount paid	Amount due	Amount paid	Amount due	Amount paid	Amount due	Amount paid	Amount due	Amount paid	Amount due	Amount paid			
1	2	3	4	5										6	7	8
		Principal	Interest	Balance	Principal	Interest	Balance									
October	November	December	January	February	March											
Amount due	Amount due	Amount paid	Amount due	Amount paid	Amount due	Amount paid	Amount due	Amount paid	Amount due	Amount paid	Amount due	Amount paid				

FAB FORM No. 20

Register of Works

[See Rule 103 (1)]

Serial Number of Estimate.....  
 Name of Village and particulars of work .....  
 Head of Account .....  
 Date of Commencement of Work .....  
 No. & Date of order sanctioning the Estimate.....  
 Amount sanctioned or Estimated Cost.

Date of Completion of Work

Name of Contractor of the Agency through whom the work is carried out	No. and date of Bill	Cost of the work executed	Particulars of Payment			Progressive Amount Expenditure	Remarks
			No. and date of Voucher	Nature of Payment	Amount		
1	2	3	4	5	6	7	8

FAB FORM No. 21

Imprest Cash Book

[ See Rule 103 (1) ]

Month and Date	Voucher No.	Particulars	Amount of each pay-ment	Total	Head of Account	Month and Date	Vou-her No.	Transac-tions	Amount of each pay-ment	Total	Head of Account
1	2	3	4	5	6	1	2	3	4	5	6
			Rs. P. Rs. P.						Rs. P. Rs. P.		

FAB FORM No. 22

## Register of Grants-in-aid (Received) from the Government and Expenditure incurred by the Panchayat Samiti

[ See Rule 103 (1) ]

Department .....Scheme.....Total amount of grant-in-aid sanctioned.....

S.No.	No, and date of Sanctioning Order	Purpose of grant	Conditions, in any attached to the grant	Month of transactions	Amount received during the month	Ledger folio No.	Amount spent during the month	Amount of unspent balance saved or utilised on other scheme conditions of the grant	Other Particulars relating to completion certificate; utilisation of funds on other schemes, and fulfilment of the Office	Initials of Head of Office
1	2	3	4	5	6	7	8	9	10	11



**FAB FORM No. 23**  
**Register of Investments**  
*[ See Rule 103 (1) ]*

S. No.	Date of Investment	Reference to the sanctioning authority.	Particulars of investment and in case of Government Securities Number and Date of Paper.
1	2	3	4
<hr/>			
Amount.	Rate of interest.	Date when interest becomes due.	Where the Security is lodged.
Rs.   nP.			
5	6	7	8
<hr/>			
Initial of the Head of Office.	Recovery of Interest		Remarks
	Date	Amount.	
9	10	11	12

**F A B FORM No. 24**  
**Register of Securities (Deposit Register)**  
*[ See Rule 103 (1) ]*

S. No.	Name of the Depositor.	Date of Deposit.	Purpose of Deposit.	Kind of Security.	Script No.
1	2	3	4	5	6
<hr/>					
If Interest Bearing Securities.					
Amount		Date of interest becoming due.	Amount of interest.	Date of Payment	
Rs.	nP.				
7	8	9	10	11	
<hr/>					
Date of renewal of Fidelity Bond.	No. and Date of Order sanctioning the Return.	Date of Return.	Signature of the Payee.	Remarks	
12	13	14	15	16	

F.A.B. FORM No. 25

Panchayat Samiti/Zila Parishad

[See Rule 44-A (I)]

Application for Advance for purchase of a cycle.

1. Name & age (next birthday).
2. Official designation.
3. Monthly substantive pay or salary of the applicant.
4. Amount of Advance asked for.
5. Approximate value of the cycle proposed to be purchased.
6. If it has been already purchased, the date when the purchase was effected.
7. Advance, if any, already drawn, the number and the date of the order sanctioning it, and the date on which it was fully adjusted.

I, hereby, bind myself to use the money for the purchase I have applied for in strict compliance with the rules laid down by the Rajasthan Government for purchase of cycle.

Signature of the applicant.

F.A.B. FORM No. 26

Panchayat Samiti/Zila Parishad

[See Rule 44-A (I) (ii)]

Know all men by these presents that I ..... son of ..... resident of ..... in the District of ..... at present employed as a permanent ..... in the ..... (hereinafter called "the surety") am held and firmly bound unto the Panchayat Samiti/Zila Parishad (hereinafter called "the Samiti/Parishad" which expression shall include its successors and assigns) in the sum of Rs ..... (Rupees ..... only) to be paid to the Samiti/Parishad for which payment to be well and truly made. I hereby bind myself, my heirs, executors administrators and representatives firmly by these presents. As witness my hand ..... this .. day of ..... one thousand nine hundred and ..

Whereas ..... son of ..... a resident of ..... in the District of ..... at present employed as a temporary .. in the ..... (hereinafter called "the Borrower") has, at his own request, been granted by Samiti/Parishad advance of Rs ..

(Rupees.....)only for purchase of a Cycle. And whereas the Borrower has undertaken to repay the said amount in..... equal monthly instalments. And whereas in consideration of the Samiti/Parishad having agreed to grant the aforesaid advance to the Borrower the surety has agreed to execute the above bond with such condition as is hereunder written.

Now the condition of the obligation is such that if the said Borrower shall, while employed in the said .....duly and regularly pay or cause to be paid to the Samiti/Parishad the amount of aforesaid advance, owing to the Samiti/Parishad by instalments until the said sum of Rs.... (Rupees ... ) only shall be duly paid, then this bond shall be void otherwise the same shall and remain in full force and virtue.

But so never the less that if the Borrower shall die or become insolvent or at any time cease to be in the service of the Samiti/Parishad, the whole of the amount of loan and interest accrued thereon shall be recoverable from the surety in one instalment by virtue of this bond—or so much of the said principal sum of Rs .....(Rupees.....)only.

The obligation undertaken by the Surety shall not be discharged or in any way affected by on extension of time or any other indulgence granted by the Samiti/Parishad to the said Borrower.

The Samiti/Parishad has agreed to bear the stamp duty if any, for this document.

Signed and delivered by the..... said.....  
(signature of surety) at this.....designation.....  
day of.....196.....office to which....

Signature,

Attached...

Address and Occupation  
of witnesses.

In presence of .....

1.....

2.....

F.A.B FORM No.27

Panchayat Samiti/Zila Parishad.

[ See rule 44 A (I) (VI) ]

Form of Agreement to be executed at the time of drawing an advance for the purchase of cycle.

An agreement made at.....(the place where the agreement is to be got executed) on.....day of.....One thousand, Nine Hundred and.....Between.....(hereinafter called the Borrower which expression where the context so admits shall include his heirs, administrators, executors and

legal representatives of the one part and the Panchayat Samiti/Zila Parishad (hereinafter called the Samiti/Parishad where the context so admits, shall include successors in office and assigns) of the other part.

Whereas the Borrower has under the provisions of the Rules for the grant of Advance to Samiti/Parishad servants for purchases of cycle (hereinafter referred to as the said Rules which expression shall include any amendments thereof or addition thereto for the time being in force) applied to the Samiti/Parishad for a loan of Rs ..... .. for the purchase of cycle .... ..) and whereas the Samiti/Parishad has agreed to lend the said amount to the Borrower on the terms and condition hereinafter contained.

Now it is hereby agreed between the parties hereto that in considerations of the sum of Rs ..... .. paid by the Samiti/Parishad to the Borrower (the receipt of which the Borrower hereby acknowledges) the Borrower hereby agrees with the Samiti/Parishad (1) to pay the Samiti/Parishad the said amount with interest calculated according to the said Rules by monthly deductions and (2) within one month from the date of these presents to expend the full amount of the said loan in purchase of the cycle, or if the actual prices paid is less than the loan, to repay the difference to the Samiti/Parishad forthwith and (3) to execute a document by mortgaging the said cycle to the Samiti/Parishad as security for the amount lent to the Borrower as aforesaid and interest in the form provided by the said Rules.

And it is hereby lastly agreed and declared that if the said cycle has not been purchased and hypothecated as aforesaid within one month from the date of these presents or if the Borrower within that period becomes insolvent or quits the service of the Samiti/Parishad or dies, the whole amount of the loan and interest accrued thereon shall immediately become due and payable.

In witness whereof the Borrower and ..... for and on behalf of the Samiti/Parishad have here unto set their hands the day and year first before written.

Signed by the aforesaid Borrower.....In the presence of  
1st Witness

Signature.....  
Occupation.....  
Address.....

2nd Witness:—

Signature.....  
Occupation.....  
Address.....

Signed by ... .. on behalf of the Samiti/Parishad.

Signature,  
DesignationIn the presence of  
1st Witness.....  
Signature.....  
Occupation .....  
Address.....  
2nd Witness .....  
Signature.....  
Occupation .....  
Address.....

\*To be struck off in case of advance for the purchase of a cycle to permanent Govt. Servant.

F.A.B. FORM No. 28

Panchayat Samiti/Zila Parishad

[See Rule 44-A (4)]

Statement of Recovery relating to Cycle advance sanctioned to the..... employee for the.....

Serial No.	Name and Designation of the employee	Nature of advance (For Cycle)	Amount of advance sanctioned.	Rate of interest.
1	2	3	4	5

  

Challan No. and date under which the instalment of recovery credited into treasury.	Amount recovered during this month.	Amount recovered up to this month.	Balance.	Remarks
6	7	8	9	10

Signature of Secretary  
Zila Parishad  
Vikas Adhikari  
Panchayat Samiti

# The Rajasthan Panchayat Samitis (Conduct of Business of Standing Committees) Rules, 1959

[Notification No. F. 45 (173) (263) Co-ord/DD/59, dated 30-9-59 published in Rajasthan Gazette Extra ordinary Part IV-C, dated 1-10-59.]

In exercise of the powers conferred by sub-sec. (1) of sec. 79 read with sec. 22 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following rules namely—

1. *Short title and commencement.*—These rules may be called the Rajasthan Panchayat Samitis (Conduct of Business of Standing Committees) Rules, 1959.

(2) These rules shall come into force from the date of their publication in the Official Gazette.

2. *Definition.*—In these rules, unless the context otherwise requires—

(1) “Chairman” means the Chairman of a Standing Committee.

(2) “Meeting” means a meeting of a Standing Committee.

(3) “Member” means a member of a Standing Committee.

(4) “Presiding member” means the Chairman or any other member who is chosen to preside over a meeting and in the case of a joint Meeting of Standing Committees, it shall mean Pradhan, Up-Pradhan or any member, as the case may be who is chosen to preside over the joint meeting.

(5) “Pradhan” means the Pradhan of a Panchayat Samiti.

(6) “Standing Committee” means the Standing Committee of a Panchayat Samiti constituted under sub-sec. (1) or sub-sec. (2) of sec. 20 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959.

(7) “State Government” means the Government of Rajasthan.

(8) “Up-Pradhan” means the Up-Pradhan of a Panchayat Samiti.

(9) “Vikas Adhikari” means the Officer appointed with that designation by the State Government for a Panchayat Samiti.

3. *Meeting of Standing Committees.*—Each Standing Committee shall meet at least once every month [ x x x ] on such day and at such hour as the Committee shall from time to time determine.

4. *Meeting to be convened on requisition signed by three members.*—The Chairman of a Standing Committee may at any time call a meeting of the Standing Committee and shall do so within a week of the receipt of a requisition stating business to be transacted signed by three members of a Standing Committee.

5. *Quorum for meetings.*—No business shall be transacted at any meeting of Standing Committee unless there is a quorum of four in the case of Standing Committee of seven members and three in case of Standing Committee of less than seven members.

6. *Decision of a question by majority of votes.*—All questions which may come up before the Standing Committee at any meeting shall be decided by the majority of the members present at the meeting and in case of equality of votes the presiding member shall have and exercise a second or casting vote.

7. *Chairman etc. to preside over the meetings.*—Every meeting shall be presided over by the Chairman and in his absence by a member chosen by the members present at the meeting.

8. *Joint meetings of Standing Committees in event of difference in opinion.*—(1) [ x x x ] In the event of there being a difference of opinion in any matter between two or more Standing Committees these shall be a joint meeting of all such Standing Committees where the matter shall be decided by a unanimous decision. In case such difference is not resolved by a unanimous decision of the joint meeting, the matter shall be referred to the Panchayat Samiti for decision. The quorum for such meeting shall be nine with at least three members for each Standing Committee.

(2) A joint meeting of the Standing Committees shall be presided over by the Pradhan or Up Pradhan, or if both are absent, by any member chosen for the purpose by the members present at such joint meeting.

9. *Minutes of the meeting.*—(1) All minutes of the proceedings of a meeting or a joint meeting shall be entered in a book and shall be signed by the presiding member after a meeting or a joint meeting.

(2) The Secretary of each Standing Committee in case of a meeting of such Standing Committee and the Vikas Adhikari in case of a joint meeting of the Standing Committees, shall forward a copy of the minutes of the proceedings of each meeting or joint meeting as the case may be, to the Panchayat Samiti within seven days of such meeting or joint meeting.

10. *Withholding of action on conflicting resolutions of Standing Committees.*—In any case in which two or more Standing

Committees have passed conflicting decisions and such conflict has not been resolved by a joint meeting of such Standing Committees, the Vikas Adhikari shall place the matter before the Panchayat Samiti and pending its resolution, he shall withhold all action in regard to the matter at issue.

*11. Application of the Rajasthan Panchayat Samitis and Zila Parishads (Conduct of Business) Rules, 1960.*—Subject to the provisions contained in the foregoing rules, the provisions contained in the Rajasthan Panchayat Samiti and Zila Parishads (Conduct of Business) Rules, 1960 shall, so far as may be applicable apply *mutatis mutandis* to the conduct of business of a Standing Committee.

*12. Custody of records of a Standing Committee.*—A Secretary shall have the custody of the his Standing Committee.



# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (ADMINISTRATION REPORT) RULES, 1959

[Notification No. F. 45 (173) (66) Co-ord. DD/ 59, dated 21-10-1959, published in the Rajasthan Gazette, Part IV-C, Ordinary, dated 31-12-1959.]

In exercise of the powers conferred by sub-sec. (1) of sec. 79 read with sec. 74 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following rules namely:—

1. *Short title and commencement.*—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Administration Report Rules, 1959, and shall come into force from the date of their publication in the Official Gazette.

2. *Preparation of Administration Report*—Every Panchayat Samiti and Zila Parishad shall as soon as may be after the close of the year, prepare a report on its administration in the form and with details given in Schedule.

3. *State Government to consider the report of the Zila Parishad.*—The State Government shall consider the report of the Zila Parishad.

4. *Review of Administration Report of Panchayat Samiti by Zila Parishad*—If at any time, it transpires as a result of the review of the Administration Report, that working of a Panchayat Samiti has not been satisfactory, the Zila Parishad may forward a copy of its resolution to the Panchayat Samiti concerned.

## SCHEDULE

### I Constitution and Management—

1. Was there any change in jurisdiction of the Panchayat Samiti/Zila Parishad during the year? Quote the number and date of order.

II. What is the population according to latest census figures available?

III. Give the names of Panchayats which are under the jurisdiction of the Panchayat Samiti (in case of Zila Parishad names of Panchayat Samitis shall be given).

IV. What is the total strength of the Panchayat Samiti/Zila Parishad?

For Panchayat Samiti

Sarpanches of Panchayats	Krishi Nipun.	Co-opted Members.	M. L. A.	Remarks.
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For Zila Parishad

Pradhans of M. Ps. Panchayat Samitis.	M.L. As. Co-operative Bank.	President of Co-opted Ex-Officio Re. Members marks
---------------------------------------	-----------------------------	--

V. Was there any election of the Pradhan/Pramukh, Up-Pradhan /Up-Pramukh during the year and was there any election disput ?

VI. Whether any Pradhan/Pramukh, Up-Pradhan/Up-Pramukh /member resigned from his office. If so, give particulars of the persons resigned and reasons for such resignation.

VII. If Standing Committees were constituted, give details thereof.

VIII. Whether any additional Standing Committees were constituted if so, give details therefor.

IX. Was the Up-Pardhan/Up-Pramukh in charge of the office of the Pradhan/Pramukh, or whether any temporary Pradhan/Pramukh was elected, if so, for what period ?

X. Was there any motion of no-confidence against Pradhan/ Pramukh ?

2. *Meeting.*—How many meetings were held and how many meetings were adjourned for want of quorum ?

3. *Management.*—Where is the Panchayat Samiti/Zila Parishad office located ? Is the building owned or rented ? If rented what is the amount of rent paid ?

II. Are the prescribed registers and forms maintained ?

4. *Establishment.*—(a) State the number of staff employed with their scale of pay.

(b) Whether the existing staff is sufficient for the efficient discharge of the duties cast upon the Panchayat Samiti/Zila Parishad. If not, elucidate the justification for increased staff (details of staff required to be given.)

5. *Communications.*—Were any roads bridges and culverts constructed during the year ? If so, at what cost ?

(I) What is total length of the roads and streets maintained by the Samiti ?

6. *Lighting.*—Give details of villages/towns where electricity has been introduced.

7. Education.—(i) Number of schools separately showing schools run for the Scheduled Castes and scheduled tribes in the circle of the Panchayat Samiti.

(ii) Size of School classes.

(iii) Enrolment (boys and girls).

(iv) Expenditure on schools.

(v) School buildings and equipments.

(vi) Single teacher schools No.

(vii) Number of schools converted into basic, their enrolment, expenditure and teachers.

(viii) Examination results.

(ix) Scholarships and other financial concessions (separately for Scheduled Castes and backward communities).

(x) Special steps for the promotion of education for girls.

(xi) Extra curricular activities.

(xii) School meals whether introduced. Number of schools and scholars covered, amount of expenditure incurred.

(xiii) Hostels, boarding houses etc. Their number, capacity and schools covered. Number of scholars benefitted.

(xiv) Centres of literacy classes.

(xv) Enrolment.

(xvi) Duration of courses.

(xvii) Expenditure.

(xviii) How many information, community and recreation centres were established by the Panchayat Samitis ?

(xix) Whether any youth organisation and libraries were established, if so state the number of organisation established separately.

(xx) Give a brief description of the work done amongst women and children with special reference to the training and utilisation of the services of Gram Kakis and Gram Sathins.

(xxi) A critical review of educational expansion and development, if any.

8. *Health and Sanitation*.—Control of epidemics.

(i) Whether there were any epidemics during year under report. If, so the place and date of occurrence of the first case may be stated ?

(ii) Total number of cases and deaths reported at all places (including that of private practitioners).

(iii) Whether Epidemic Diseases Act was brought into force or not ?

(iv) What preventive measures were taken by the Panchayat Samiti to check the spread of epidemic diseases ?

(v) How long the epidemic lasted; what was the last date when the epidemic ceased ?

II. Inspection of dispensaries, Aushdhalayas, Dawakhanas, Maternity Centres and Primary Health Centres.

(i) How many hospitals, dispensaries, maternity centres and Aushadhalayas are there in the Panchayat Samiti circle ?

(ii) Are these institutions inspected regularly ?

(iii) How many of these institutions are privately run ?

(iv) Whether the working of these institutions is satisfactory if not, give the ways and means to improve them i.e. additional staff, equipment etc.

III. Family Planning.

(i) No. of existing centres.

(ii) Population covered.

(iii) No. of centres newly started with their date of function.

(iv) No. of cases attended in all the centres. Males .....  
Females

*Methods advised*

Diaphragm jelly, perception jelly, foam tablets and others.  
Sterilisation done Males..... Females.....

(v) Number of cases examined in home visits—

IV. Drinking water facilities.

State the steps taken by the Panchayat Samiti in providing protected drinking water facilities.

V. Carrying out environmental sanitation and health campaigns and educating the public in (a) nutrition (b) maternity and child health and (c) communicable diseases.

(i) Collection and disposal of refuse. Provision of dust bins or construction of manure pits, composting, trenching etc.

(ii) Provision of drainage and soak pits.

(iii) Provision of ventilation in houses where necessary by supplying cement and ventilators.

(iv) Collection and disposal of night soils.

(v) Educational campaigns on all health activities by ways of setting up exhibitions and distribution of educative literature and holding group.

9. *Cottage industries.*—Describe the steps taken by the Panchayat Samiti for improving cottage and small scale indus-

tries in order to provide better employment opportunities and to promote village self-sufficiency, skill of artisans and craftsman.

10. *Co-operation*.—How many service co-operative industrial, irrigation framing and other co-operative societies were promoted and established during the year? Are those working satisfactorily?

II. State any other steps taken for the development of co-operation.

11. *Agriculture*.—(i) Describe the steps taken by Panchayat Samiti for increased production.

(ii) How many irrigation wells were constructed?

(iii) Whether land reclamation and soil conservation on agricultural land was provided:

(iv) Whether seed multiplication farms were opened and maintained. If so, how many and with what result?

(v) Physical targets fixed and achievements thereof.

(vi) The difficulties, if any, in executing the schemes.

(vii) State the increase in production i.e. in respect of food grains, cotton, sugarcane and oil seed.

(viii) State the increase or decrease in area and acre yield of the crops under cultivation as compared to the previous year.

(ix) State the additional employment potential created.

(x) State the agricultural conditions in the block during the year.

(xi) State the availability of labour and about settlement of landless labourers.

(xii) What was the staff position during the year under report?

(xiii) State the number of existing irrigation tanks at the beginning of the year.

(xiv) State the number of irrigation tanks constructed during the year.

(xv) State the number of anicuts constructed during the year.

(xvi) Family wise production plans. No. of villages covered.

12. *Village Forests*.—(i) State the area in acres and location of the village forests created during the year.

(ii) State the condition of the village forests created in the previous year.

(iii) State the expenditure incurred on the maintenance of last year's work, plantations of the year's work and advance soil working for the following years work.

(iv) State the amount of subsidy received from Government and expenditure incurred by each Panchayat separately.

(v) What difficulties were encountered in the implementation of the schemes and how they were encountered ?

### 11.—*Condition of paddocks for rotational grazing—*

(i) State the areas in acres and location of the paddocks found during the year.

(ii) State the names of areas which were opened for grazing during the year.

(iii) State the amount of expenditure incurred on the maintenance of fencing previous year's paddocks and fencing of the year's paddocks separately.

(iv) State the amount of subsidy or loan received from the Government.

(v) Has the creation of any paddocks given any relief to the villagers regarding the grazing and availability of grass for their cattle.

13. *Animal Husbandary.*—(i) State the steps taken by the Panchayat Samiti for the improvement of animal husbandry, particularly with regard to introduction of improved fodders and feeds, establishment of first aid centres and control of contagious disease.

### 14. *Publicity—*

(i) State the steps taken by the Panchayat Samiti with regard to community listening scheme.

(ii) Is Panchayat Samiti publishing any paper or pamphlet ? If so, give details together with financial implication.

15. *Emergency relief.*—Whether any amount was spent on emergency relief. If so, state the amount spent.

16. *Trusts.*—How many trusts are there under the management of the Panchayat Samiti ?

### 17. *Taxes—*

(i) Give the particulars of taxes imposed by the Panchayat Samiti including rates on workers.

(ii) State increase during the year under each of the taxes.

(iii) Whether any ex-gratia grants paid by the Government ? If so, state the amount paid and purpose therefor.

(iv) Whether the surplus, if any, has been lodged in the Banks. Give details.

18. *Misc—*

- ( i ) Has the Panchayat Samiti any industrial area ?
- ( ii ) Has the Panchayat Samiti framed any bye-laws for the regulation of offensive trades.
- (iii) Were any unhealthy localities reclaimed during the year ? If so, state the amount spent on this account.
- (iv) How many public markets are there in the circle of the Panchayat Samiti, Is the Panchayat Samiti maintaining any stalls and has it constructed any stalls ? What is the income therefrom ?
- (v) How many Standing houses are being maintained by Panchayat Samiti ?
- (vi) State the steps taken for encouragement of thrift through small savings ?
- (vii) Describe the steps taken by the Panchayat Samiti for the promotion of folk art.

19. *Audit & Accounts—*

- ( i ) When was the audit of accounts conducted.
  - ( ii ) On what date was the audit report received.
  - (iii) Has a complete compliance report been sent to the Local Fund Audit Department.
  - (iv) What are the irregularities which have not been complied with.
  - (v) What were the amounts of overpayments and losses shown in the Audit Report.
  - (vi) Has the overpayments been recovered ?
- What action has been taken to make good the losses caused to the Samiti Fund.

*General*

- ( i ) Was the Panchayat Samiti superseded or dissolved ? If so, state the period.
- (ii) Was there any occasion when the Government exercised powers under Chapter (iv) of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959.

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (CLASS IV SERVICE) RULES, 1959

[Notification No. F. 3 (38) Apptt. (D) 59, dated 30-9-1959 published in Rajasthan Raj patra Extraordinary, Part IV-C, dated 1-10-59]

In exercise of the powers conferred by sub-sec. (1) of sec. 79 read with secs. 31 and 60 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959, the Government of Rajasthan makes the following rules regulating the recruitment and conditions of service of Class IV servants appointed in the Panchayat Samitis/Zila Parishads. These shall come into force with effect from 2nd October, 1959.

1. *Short title and Commencement.*—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Class IV Service Rules, 1959 and shall come into force with effect from the 2nd October, 1959.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context—

(a) “Act” means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959.

(b) “Direct recruitment” means recruitment by the method prescribed by rule 10.

(c) “Former Appointing Authority” means the authority competent to make appointment before the enforcement of these rules.

(d) “Government” means the Government of Rajasthan.

(e) “Schedule” means the Schedule to these rules.

(f) “Service” means the Panchayat Samiti and Zila Parishad Class IV Service, constituted for each Panchayat Samiti and Zila Parishad.

(g) “Panchayat Samiti and Zila Parishad” means the Panchayat Samiti and Zila Parishad constituted under the Act.

(h) “Member of the Service” means the person appointed substantively to the post in the Service under the provisions of these Rules.

(i) “State” means the State of Rajasthan.

(j) “Vikas Adhikari” means the officer appointed as such under sec. 26 of the Act.

(k) “Secretary Zila Parishad” means the officer appointed as such under sec. 55 of the Act.



(1) "Consolidated fund of the State" means the fund constituted for the State under Art. 266 (1) of the Constitution of India.

(m) "Medical Officer" means a Medical Officer not below the rank of C. \S. Class II.

3. *Strength of the Service.*—The strength of each of the Service shall be such as may be fixed by Government from time to time for each Panchayat Samiti/Zila Parishad as the case may be, and shall consist of categories of post in the pay scales shown in the Schedule annexed to these rules, provided that the Government may add any other categories of posts of Class IV servants in the schedule

4. *Initial Constitution of the Service.*—(1) All persons holding appointments to the different categories of class IV posts immediately preceding the constitution of the Panchayat Samiti/Zila Parishad Services shall be deemed to have been substantively appointed thereto by the Vikas Adhikari/Secretary Zila Parishad, as the case may be, provided that—

(a) a permanent Government employee may within 90 days of the issue of these Rules exercise his option not to become a member of the Service, in which case the former appointing authority may take such action as it may deem necessary in accordance with the provisions of the Rajasthan Service Rules;

(b) a temporary Government employee may within 30 days of the issue of these Rules exercise his option not to become member of the Service in which case, the former appointing authority shall terminate his services under the provisions of the Rajasthan Service Rules.

(2) An employee whether permanent or temporary who exercise option under the provision of sub-rule 4 (1) not to become a member of the Service shall be deemed to have been served with the notice of discharge under the provisions of the Rajasthan Service Rules with effect from the 2nd October, 1959 and will be deemed to be on deputation with the Panchayat Samiti or the Zila Parishad as the case maybe, from the 2nd October, 1959 till the former appointing authority absorb him on another post or discharge him under the provisions of the Rajasthan Service Rules.

(3) Holders of any category of posts which may be included in the schedule after the constitution of the Panchayat Samiti/Zila Parishad Services shall also be dealt with in accordance with the provisions of this rule.

5. *Sources of recruitment.*—Vacancies in the Service shall be filled by the Vikas Adhikari/Secretary, Zila Parishad as the case may be, either by direct recruitment or by promotion.

6. *Reservation for Scheduled Castes/Scheduled Tribes.*—

Reservation of vacancies for scheduled castes and scheduled tribes shall be made in accordance with the orders of Government in force from time to time.

*Note*—Reservation shall be calculated on the basis of total vacancies in each category, adjustments of fractions being made over a period of five years. There will be no reservations in the matter of promotions.

7. *Age.*—A candidate for direct recruitment must have attained the age of 18 years and must not have attained the age of 25 years on the first day of January following the date of application :

Provided that—

- (i) the upper age limit for a candidate of a scheduled caste or a scheduled tribe shall be 30 years.
- (ii) the upper age limit for Ex-service men shall be 50 years
- (iii) the appointing authority may relax upper age limit by a period of 5 years if it finds that suitable candidates, within the age limits prescribed in this rule, are not available at any particular time or in any particular area. Such relaxation shall however be made in respect of the entire category of the service and not in any individual case or cases.

8. *Character.*—A candidate for direct recruitment to the Class IV Service must produce a certificate of good character from a Gazetted Officer or Sarpanch not related to him.

9. *Physical fitness.*—A candidate for direct recruitment to the Class IV Service must be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his duties and must produce a certificate to that effect from a Medical Officer.

10. *Procedure for direct recruitment.*—The nearest Employment Exchange should be asked to send a panel of names of suitable persons at least five times the number of vacancies to be so filled. The Vikas Adhikari/Secretary, Zila Parishad will then make appointments of the candidate considered more suitable.

11. *Scales of Pay.*—Scales of pay admissible to a member of the Service shall be such as may be fixed by the Government from time to time. The existing scales of pay for the various posts are as shown in the Schedule.

12. *Regulation of pay, leave, allowances, pensions etc.*—Except as provided in these Rules and till such time as separate Rules are framed on any or all of these matters, the pay,

allowances, pension, leave and other conditions of service of the member of the Service shall be regulated, mutatis mutandis, by the Rajasthan Service Rules and the Rajasthan Travelling Allowance Rules.

13. *Pension and Provident Fund.*—All persons holding Class IV posts in the Panchayat Samiti/Zila Parishad shall subscribe to a contributory Provident Fund in accordance with rules made in this behalf :

Provided that persons appointed to the Service at initial constitution under rule 4(1) of these rules and who were in the pensionable service of the State shall be entitled to the payment of pension by Government out of the Consolidated Fund of the State and the Panchayat Samiti/Zila Parishad concerned shall make and pay contribution to the Government on that account in accordance with the rates prescribed in Appendix V of the Rajasthan Service Rules.

14. *Compulsory Life Insurance.*—A member of the Service shall be required to effect insurance on his life under the Rajasthan Government Compulsory Insurance Scheme in accordance with the Rajasthan Government Servants Insurance Rules, 1953.

#### SCHEDULE

1. Peons	25-1-40
2. Attendants	-do-
3. Cart Drivers	-do-
4. Chaukidar	-do-
5. Cleaners	-do-
6. Coolies	-do-
7. Farrashes	-do-
8. Gardner (Mali)	-do-
9. Helpers	-do-
10. Khalasies	-do-
11. Mates	-do-
12. Mechanics	50-3-80-EB-3-95-100
13. Orderlies	-do-
14. Cycle Sowars	-do-
15. Camel Sowars	-do-
16. Sweepers	-do-
17. Watermen	-do-
18. Ploughmen	-do-
19. Bull Attendants	-do-
20. Graders	-do-
21. Shepherds	-do-
22. Messengers	-do-
23. Fishermen	-do-
24. Hammermen	-do-

THE RAJ. PANCHAYAT SAMITIS (TERMS & CONDITIONS OF DEPUTATION OF VIKAS ADHIKARIS, EXTENSION OFFICERS & OTHER OFFICERS) RULES, 1959.

[Notification No. F. 7 (29) A/A/59, dated 10-12-59, published in Rajasthan Gazette, part IV-C, Extraordinary, dated 10-12-59]

In exercise of the powers conferred by sub-section (1) of section 79 read with sub-section (2)(b) of section 26 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No 37 of 1959), the State Government hereby makes the following rules relating to the terms and conditions on which the Vikas Adhikaries, Extension Officers and other officers may be appointed on deputation to the Panchayat Samitis :—

1. These rules may be called the Rajasthan Panchayat Samitis (Terms and conditions of deputation of Vikas Adhikaris, Extension Officers and other officers), Rules, 1959 and shall be deemed to have come into force with effect from the 2nd day of October, 1959.

2. A person encadred in a State service or holding a post under the State Government may be appointed Vikas Adhikari, Extension Officer, or other Officer, as the case may be by the State Government or the authority to whom the power of making such appointments has been delegated by the State Government on deputation to a Panchayat Samiti.

*Note* :—The order of deputation may be issued in the proforma at Appendix I.

3. During the period of deputation the Vikas Adhikari, Extension Officer, or other officer, as the case may be, will continue to earn increments and promotions in his parent cadre as he would have done, but for his deputation.

4. The Vikas Adhikari, Extension Officer or other Officer, as the case may be while on deputation will continue to draw pay in the scale under the State Government as he would have drawn but for his deputation and he will draw such special pay as may be attached to the post.

5. He will continue to be governed by the State Service Rules applicable to the service to which he belongs.

6. He will continue to be under the administrative and disciplinary control of the State Government or the appointing authority, as the case may be, except that during the period of

deputation, the Pradhan of the Panchayat Samiti will have power to sanction him casual leave and the Vikas Adhikari will have power to sanction casual leave to the Extension Officers.

7. He shall be liable to transfer by the State Government or the appointing authority, as the case may be, in consultation with the Pradhan of the Panchayat Samiti.

8. He shall be liable to be withdrawn by the State Government or the appointing authority, as the case may be, at any time if he becomes due for promotion in the parent cadre or for other administrative reasons.

9. (1) The Panchayat shall be liable to pay pension contribution/provident Fund contribution to the State Government in respect of Vikas Adhikaris on deputation to it in accordance with the rules laid down in Appendix V of Rajasthan Service Rules for pension and in accordance with the rules applicable to the Contributory Provident Fund of the officer concerned in respect of Contributory/Provident Fund.

(2) The Panchayat Samiti shall be liable to pay pension Provident Fund contribution to the State Government in respect of officers other than Vikas Adhikaries on deputation to it at the rate provided in rule 35 of the Rajasthan Panchayat Samiti and Zila Parishad Service Rules, 1959.

10. The leave salary of an officer on deputation will be paid by the Panchayat Samiti, if the leave is availed of during the period of deputation.

## APPENDIX I

### ORDER

No.....

Dated.....

Shri.....is appointed Vikas Adhikari/Extension Officer/.....in.....Panchayat Samiti, .....District on deputation on the following terms and conditions:—

1. Pay and other emoluments : As admissible to him under the State Government from time to time together with such special pay, if any, as may be attached to the post under the Panchayat Samitis.
2. Leave, Travelling Allowance, Medical Attendance : As admissible to him as an Officer of the State Government.

3. Pay and Travelling Allowance on joining the post under Panchayat Samiti, or on transfer to another Panchayat Samiti or on reversion. As admissible under the Rajasthan Service and Travelling Allowance Rules, and to be paid by the Panchayat Samiti, except on transfer from one Panchayat Samiti to another in which case the receiving Panchayat Samiti will pay.
4. Leave salary :  
Leave salary in respect of leave taken at the conclusion of foreign service shall be paid by the State Government in case a Government servant is reverting to Government service and by next borrowing Panchayat Samiti if the Government servant is transferred to it at the expiry of leave. If joining time is admissible to the Government servant at the end of such leave, the pay of the joining time shall also be borne by the Government or the Panchayat Samiti, as the case may be.
5. Pension or Provident Fund Contribution. The Panchayat Samiti shall pay pension or Provident Fund Contribution as the case may be.
6. Period. For such period, as the appointing authority may deem proper and he shall be liable to be withdrawn at any time if he becomes due for promotion or for other administrative reasons.
7. House rent allowance. If a residential accommodation is provided he will pay rent in accordance with the rules.

Signature of Appointing Authority.

Copy forwarded for information and necessary action to :

1. Vikas Adhikari/Extension Officer
2. The Panchayat Samiti .....

Signature of Appointing Authority.

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (CONTRIBUTORY PROVIDENT FUND) RULES, 1959

[Notification No.F 45 (173) (2-43) Co-ord/DD/59, Dt.1-10-1959, published in Raj. Gazette, Part IV-C, Ex. Ord. dated 14-10-59].

In exercise of the powers conferred by sub-section (2) of section 87 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following rules, namely:—

## SHORT TITLE AND COMMENCEMENT

1. (1) These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads (Contributory Provident Fund) Rules, 1959.
- (2) They shall come into force on the 2nd October, 1959.

## DEFINITIONS

2. In these rules and the Schedules annexed thereto, unless there is anything repugnant in the subject or context—

- (1) "Act" means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959).
- (2) "Accounts Officer" means Examiner, Local Funds appointed under the Rajasthan Local Funds Audit Act, 1954.
- (3) "Emoluments" means pay or/and leave salary.
- (4) "Family" means any of the following relatives of a deceased subscriber to, or a depositor in, a Provident Fund, namely, a wife, husband, parent, child, minor brother, unmarried sister and a deceased son's widow and child, and, where no parent of the subscriber or depositor is alive, a paternal grandparent:

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these relate, unless the subscriber subsequently indicates by express declaration in writing to the Secretary that she will continue to be so regarded.

- (b) in the case of a female subscriber the husband and children of the subscriber and the widow or widows and children of a deceased son of the subscriber :

Provided that if a subscriber by notification in writing to the Secretary expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels formally in writing her notification excluding him.

*Note*:—(1) Children means legitimate children.

- (2) An adopted child shall be considered to be a child when the Secretary is satisfied that under the personal law of the subscriber, adoption is legally recognised as conferring the status of a natural child.

(5) "Fund" means the Zila Parishad Contributory Provident Fund established under sub-section (2) of section 87 of the Act.

(6) "Head of Office" means the Vikas Adhikari for the Panchayat Samitis and Secretary for the Zila Parishads and shall include such other officer as may be declared by a Panchayat Samiti for any office or any institution subordinate to it.

(7) "Leave" means any variety of leave recognised by the Service rules made in this behalf under sub-section (1) of section 31 of the Act.

(8) "Panchayat Samiti" means a Panchayat Samiti constituted under the Act.

(9) "Secretary" means Secretary of a Zila Parishad appointed by the State Government under the Act.

(10) "State Government" means the Government of Rajasthan.

(11) "Vikas Adhikari" means an Officer appointed with that designation by the State Government for a Panchayat Samiti.

(12) "Year" means a financial year.

(13) "Zila Parishad" means a Zila Parishad constituted under the Act.

(14) Words and expressions used but not defined in these rules shall have the meanings assigned to them in the Provident Fund Act, 1925 (Central Act No. 19 of 1925) or in the rules governing the conditions of Class IV employees.

3. *Constitution and Management of the Fund*—Each Fund shall be administered by the Zila Parishad concerned.



4. (1) These rules shall apply to every non-pensionable person holding a post in Class IV service under the control of a Panchayat Samiti or Zila Parishad;

Provided that in the case of temporary class IV employees, these rules shall apply only to such of these employees as have put in one year's continuous service under the Panchayat Samiti, or the Zila Parishad, as the case may be.

(2) Every servant of Zila Parishad and Panchayat Samiti to whom these rules apply shall be a subscriber to the Fund.

(3) If a person admitted to the benefits of the Fund was previously a subscriber to the General Provident Fund of the State Government, the amount of his subscriptions in the General Provident Fund, together with interest thereon, shall be transferred to his credit in the Fund.

(4) If a subscriber is permanently transferred to pensionable service, he shall, at his option, be entitled—

(a) to continue to subscribe to the fund, in which case he shall not be entitled to any pensioner; or

(b) to earn pension in respect of such pensionable service in which case, with effect from the date of his permanent transfer—

(i) he shall cease to subscribe to the Fund.

(ii) the amount of contribution with interest thereon standing to his credit and subscribed by the Panchayat Samiti or Zila Parishad shall be repaid to the Panchayat Samiti or Zila Parishad as the case may be.

(iii) the amount of subscriptions together with interest standing to his credit subscribed by him shall be repaid to him by the Secretary, Zila Parishad.

(iv) he shall be entitled to count towards pension such part of the period during which he subscribed to the Fund.

## NOMINATION

5. (1) A subscriber shall, as soon as may be after joining the Fund, send to the Accounts Officer a nomination, conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund in the event of his death before that amount has become payable, or having become payable, has not been paid :

Provided that if, at the time of making the nomination the subscriber has a family, the nomination shall not be

favour of any person or persons other than the member of his family.

(2) If a subscriber nominates more than one person under sub-rule (1) he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) Every nomination shall be in such one of the Forms set forth in the first Schedule as is appropriate in the circumstances.

(4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Accounts Officer:

Provided that the subscriber shall along with such notice send a fresh nomination made in accordance with the provisions of this rule.

(5) A subscriber may provide in a nomination—

(a) in respect of any specified nominee that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person as may be specified in the nomination;

(b) that the nomination shall become invalid in the event of the happening of a contingency specified therein; provided that if at the time of making the nomination the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring the family.

(6) Immediate on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-rule (5) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of sub-rule (5) or the proviso thereto the subscriber shall send to the Accounts Officer a notice in writing cancelling the nomination together with a fresh nomination made in accordance with the provisions of this rule.

(7) Every nomination made, and every notice of cancellation given by a subscriber shall, to the extent that it is valid take effect, on the date on which it is received by the Accounts officer.

### SUBSCRIBER'S ACCOUNT

6. An account shall be opened in the name of each subscriber, in which shall be credited—

(i) the subscriber's subscriptions;

- (ii) contributions made under rule 10 by the Zila Parishads to his account;
- (iii) interest, as provided by rule 11, on subscriptions; and
- (iv) interest, as provided by rule 11 on contributions;

### CONDITIONS AND RATES OF SUBSCRIPTIONS

7. Every subscriber shall subscribe monthly to the Fund when on duty and on leave except leave without pay.

8. (1) The amount of subscription shall be  $6\frac{1}{4}\%$  of the emoluments of the subscriber.

(2) The amount of subscription shall be in whole rupees (50 naya paise or more counting as the next whole rupee).

(3) For the purpose of sub-rule (1) the emoluments of a subscriber shall be—

(a) (i) in the case of a subscriber who was on duty on 31st March of the preceding-year the emoluments to which he was entitled on that date;

(ii) in the case of a subscriber who was in service but not on duty the emolument which he would have drawn had he remained on duty.

(b) In the case of a subscriber who was not in service on 31st March of the preceding-year, the emoluments to which he was entitled on the first day of his service.

(4) The amount of subscription so fixed shall remain unchanged throughout the year:

Provided that if a subscriber is on duty or on leave for a part of a month and on leave without pay for the remainder of that month, the amount of the subscription payable shall be proportionate to the number of days spent on duty and/or on leave (not leave without pay) in the month.

### REALIZATION OF SUBSCRIPTION

9. Recovery of subscription on account of these employments and of the principal and interest of advances shall be made from the emoluments of a subscriber drawn from Zila Parishad / Panchayat Samiti.

### CONTRIBUTION BY ZILA PARISHAD

10. (1) The Panchayat Samiti/Zila Parishad shall, along with the monthly subscription of the subscribers to the fund make a contribution each month to the account of each subscribers:

Provided that such subscription shall be credited to the subscribers' account on 31st March of each year and interest thereon shall accrue with effect from 1st April, following :

Provided further that if a subscriber quits the service or dies during a year contribution shall be credited to his account for the period between the close of the preceding year and the date of the casualty.

(2) The contribution shall be equal to the subscription paid into the fund by a subscriber during the year or period as the case may be.

### INTEREST

11. (1) The Panchayat Samiti/Zila Parishad shall pay to the credit of the account of a subscriber interest at such rate as the State Government may from time to time prescribe for the payment of interest on subscriptions to the General Provident Fund on the amount at his credit in the Fund.

(2) Interest shall be credited with effect from the 31st march, of each year in the following manner:—

- (i) on the amount at the credit of a subscriber on the 31st March, of the preceding year, less sums withdrawn during the current year—interest for twelve months;
- (ii) on sums withdrawn during the current year interest from the 1st April, of the current year up to the last day of the month preceding the month of withdrawal;
- (iii) on all sums credited to the subscriber's account after the 31st March, of the preceding year—interest from the date of deposit up to the current year;
- (iv) the total amount of interest shall be rounded to the nearest rupee in the manner provided in sub rule (2) of rule 8 :

Provided that when amount standing at the credit of a subscriber has become payable, interest shall there upon be credited under this sub-rule in respect only of the period from the beginning of the current year or from the date of deposit, as the case may be up to the last date of month preceding that in which a cheque is posted by the Accounts officer to the subscriber or in which the Accounts officer sends an intimation to the subscriber of his readiness to pay.

(3) For the purposes of this rule the date of deposit shall be deemed to be the first day of month in which they are recovered.

(4) In this rule, the date of deposit shall in the case of a recovery from emoluments be deemed to be first day of the month in which it is recovered.

### ADVANCE FROM THE FUND

12. A temporary advance may be granted to a subscriber from the amount standing to his credit in the Fund at the discretion of Vikas Adhikari/Secretary, Zila Parishad under whom he is employed on the following conditions: -

(a) It will be expended on the following object:-

- (i) to pay expenses incurred in connection with the prolonged illness of the applicant or any person actually dependent on him;
- (ii) to pay obligatory expenses up to a reasonable amount in connection with marriages, funerals or ceremonies which by his religion it is incumbent on him to perform.

(b) An advance shall not, except for special reasons exceed three month's pay.

(c) A second advance shall not, except for special reasons, be granted until at least twelve months after the final repayment of a previous advance together with interest thereon.

(d) In no cash the amount of advances shall exceed at any time the amount of subscriptions to the credit of his account plus interest thereon.

13. An advance shall be recovered from the subscriber in such number of equal instalments as the sanctioning authority may direct; but such number shall not be less than twelve unless the subscriber so selects, or in any case more than thirty-six. A subscriber may at his option, make repayment in a smaller number of instalments than that prescribed. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments.

(2) Recovery shall be made in the manner provided in rule 9 for realisation of the subscription and shall commence on the first occasion after the advance is made on which subscriber draws emoluments.

(3) If more than one advance has been made, each advance shall be treated separately for the purpose of recovery.

(4) After the principal of the advance has been fully repaid, interest shall be paid thereon in two instalments @ one fourth per cent of the principal for each month or broken por-

tion of a month during the period between the drawal and complete repayment of the principal.

(5) Recoveries made under this rule shall be credited, as they are made, to the account of the subscriber in the Fund.

### CIRCUMSTANCES IN WHICH ACCUMULATIONS ARE PAYABLE

14. When a subscriber quits the service the amount standing to his credit in the Fund, shall, subject to any deduction under rule 16, become payable to him :

Provided that a subscriber, who has been dismissed from the service and is subsequently re-instated in the service, shall, if required to do so by Zila Parishad/Panchayat Samiti repay any amount paid to him from the Fund, in pursuance of this rule, with interest thereon at the rate provided in rule 11. The amount so repaid shall be credited to his account in the Fund, the part which represents his subscriptions and interests thereon, and the part which represents the Government contribution with interest thereon, being accounted for in the manner provided in rule 6.

15. Subject to any deduction under rule 16 on the death of a subscriber before the amount standing to his credit has become payable, or where the amount has become payable, before payment has been made;

(i) When the subscriber leaves a family:—

(a) If a nomination made by the subscriber in accordance with the provisions of rule 5 in favour of a member or members of his family subsist, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination;

(b) If no such nomination in favour of member or members of the family of the subscriber subsist, or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family become payable to the members of his family in equal shares :

Provided that no share shall be payable to:—

(1) sons who have attained legal majority;

(2) sons of a deceased son who have attained legal majority;

(3) married daughters whose husbands are alive;

(4) married daughters of a deceased son whose husbands are alive, if there is any member of the family other than those specified in clauses (1), (2), (3) and (4).

Provided also that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso.

**Note.**—Any sum payable under these rules to a member of the family of a subscriber vests in such member under sub-section (2), of section 3 of the Provident Funds Act, 1925.

(ii) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of rule 5, in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

**Note 1.**—When a nominee is a dependent of the subscriber as defined in clause (c) of section 2 of the Provident Fund Act, 1925, the amount vests in such nominee under sub-section (2) of section 3 of the Act.

**Note 2.**—When the subscriber leaves no family and no nomination made by him in accordance with the provisions of rule 5 subsists, or if such nomination relates only to part of the amount standing to his credit in the Fund, the relevant provisions of clause (b) and of sub-clause (ii) of clause (c) of sub-section (1) of section 4 of the Provident Funds Act, 1925 are applicable to the whole amount or the part thereof to which the nomination does not relate.

## DEDUCTIONS

16. Subject to the condition that no deduction may be made which reduces the credit by more than the amount of any contribution by Zila Parishad/Panchayat Samiti with interest thereon credited under rules 10 and 11 before the amount standing to the credit of a subscriber in the Fund is paid out of the Fund, the Zila Parishad/Panchayat Samiti may direct the deduction therefrom and payment to Zila Parishad of —

- (a) any amount, if a subscriber has been dismissed from the service for grave misconduct;

Provided that, if the order of dismissal is subsequently cancelled, the amount so deducted shall, on his reinstatement in the service, be replaced at his credit in the Fund;

- (b) any amount, if a subscriber resigns his employment under Zila Parishad/Panchayat Samiti within five years of the commencement thereof, otherwise than by reason of superannuation or a declaration by competent medical authority that he is unfit for further service;

- (c) any amount due under a liability incurred by the subscriber to Zila Parishad/Panchayat Samiti.

17. *Payment.*—(1) When the amount standing to the credit of a subscriber in the Fund, or the balance thereof after any deduction under rule 16, becomes payable, it shall be the duty of the Accounts Officer, after satisfying himself when no such deduction has been directed under that rule; that no deduction is to be made, to make payment as provided in section 4 of the Provident Fund Act, 1925.

(2) If the person to whom, under these rules, any amount is to be paid is a lunatic for whose state a manager has been appointed in this behalf under the Indian Lunacy Act, 1912 the payment will be made to such manager and not to lunatic.

(3) Any person who desires to claim payment under this rule shall send a written application in that behalf to the Accounts officer.

*Note.*—When the amount standing to the credit of a subscriber has become payable under rule 14. the Accounts officer shall authorise prompt payment of that portion of the amount standing to the credit of a subscriber in regard to which there is no dispute or doubt, the balance being adjusted as soon after as may be.

## PROCEDURE

18. All sums paid in to the Fund under these rules shall be credited in the books of the Zila Parishad to an account named "The ..... (name of the District Zila Parishad) contributory Provident Fund Account."

19. (1) As soon as possible after the 31st March, of each year, the Accounts Officer shall send to each subscriber a statement of account, in the fund in form C.P.F. 8 (Schedule II), showing the opening balance as on 1st April of the year, the total amount credited or debited during the year, the total



amount of interest credited as on 31st March, of the year and the closing balance as on that date.

(2) Subscribers should satisfy themselves as to the correctness of the annual statement and errors should be brought to the notice of the Accounts officer within 6 months from the date of receipt of the statement.

20. The accounting procedure of the Fund shall be as laid down in Schedule II. The Accounts Officer shall issue for the guidance of Secretaries such instructions, as he may think necessary, to supplement the procedure laid down in the afore-said Schedule.

21. (1) The account of the Fund shall be audited by the Accounts Officer every year. He shall send a report thereof to the Secretary.

(2) The Secretary shall remove or cause to be removed the discrepancies pointed out by the Accounts Officer in his report and shall submit a compliance report to the Accounts Officer within a period of 2 months from the date of receipt of the report.

### FIRST SCHEDULE

[ See Rule 5 (3) ]

#### Forms of Nomination

I. When the subscriber has a family and wishes to nominate one member thereof.

I hereby nominate the person mentioned below, who is a member of my family as defined in rule 2 of the Rajasthan Panchayat Samitis and Zila Parishads Contributory Provident Fund Rules, 1959, to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable, or having become payable, has not been paid :—

Name and address of nominee.	Relationship with subscriber.	Age.	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person, if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber.
1	2	3	4	5

Dated this ... day of ... 19 ..  
at .....

.....  
Signature of Subscriber

# 12.] Raj. Panchayat Samitis & Zila Parishads (C. P. F.) Rules, 1959

## Two Witnesses to Signature.

(1) .....

(2) .....

## II. When the subscriber has a family and wishes to nominate more than one member thereof.

I hereby nominate the persons mentioned below, who are members of my family as defined in rule 2 of the Rajasthan Panchayat Samitis and Zila Parishads Contributory Provident Fund Rules, 1959; to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount shall be distributed among the said persons in the manner shown below against their names:—

Name and address of nominee.	Relationship with Subscriber.	Age.	Amount or share of accumulations to be paid to each. (*)	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person if any to whom the right of the nominee shall pass in the event of his predeceasing the subscriber.
1	2	3	4	5	6

Dated this..... day of..... 19.....  
at.....

Signature of the Subscriber.

## Two Witnesses to Signature.

(1) .....

(2) .....

(\*) Note:—This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

## III. When the subscriber has no family and wishes to nominate one person.

I, having no family as defined in rule 2 of the Rajasthan Panchayat Samitis and Zila Parishads Contributory Provident Fund Rules, 1959 hereby nominate the person mentioned below to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable or having become payable has not been paid :—

Name and address of nominee.	Relationship with Subscriber.	Age.	Contingencies on the happening of which the nomination shall become invalid. (**)	Name, address and relationship of the person, if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber.
1	2	3	4	5

Dated this .....day of.... 19 .....  
at .....

.....  
Signature of the Subscriber

Two Witnesses to Signature.

(1).....

(2).....

(\*\*) Note:—Where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

IV. When the subscriber has no family and wishes to nominate more than one person.

I, having no family as defined in rule 2 of the Rajasthan Panchayat Samitis and Zila Parishads Contributory Provident Fund Rules, 1959 hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable, or having become payable has not been paid, and direct that the said amount shall be distributed among the said persons in the manner shown below against their names.

Name and address of nominee.	Relationship with Subscriber	Age.	Amount or share of accumulations to be paid to each (*)	Contingencies on the happening of which the nomination shall become invalid (**)	Name, address and relationship of the person, if any to whom the right of the nominee shall pass in the event of his predeceasing the subscriber
1	2	3	4	5	6

Dated this ..... day of ..... 19.....  
at.....

.....  
Signature of Subscriber

Two witnesses to Signature

(1).....

(2).....

(\*) Note:—This column should be filed in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

(\*\*) Note:—Where a subscriber who has no family makes a nomination he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

## SECOND SCHEDULE

[See Rule (20)]

### ACCOUNTING INSTRUCTIONS

*Para 1.*—The Fund account of class IV employees of Panchayat Samitis and Zila Parishads of a district shall be maintained by the Accounts Officer.

*Para 2.*—On receipt of an application in Form C. P. F. 1, the eligibility of a new subscriber shall be examined by the Accounts Officer with reference to the rules. If he is found eligible, an account number shall be assigned to him in the general index register Form C. P. F. 2 and shall be communicated to him by the Accounts Officer. In case of employees of a Panchayat Samiti, the number shall be communicated to him through the Vikas Adhikari who will ensure that the subscriptions are recovered from him as required under the rules.

*Para 3.*—(1) Along with the communication allotting a number to a subscriber the Accounts Officer shall send to him a nomination from applicable in his case.

(2) The nominations received by the Accounts Officer from subscribers under Rule 5 shall be scrutinised by him and shall be kept under lock and key.

(3) When a revised nomination is received, the superceded one shall be cancelled and returned to the subscriber.

*Para 4.*—(1) Subscriptions and refund of withdrawals shall be deducted from the salary bills and shown in the Schedule of recoveries and contributions in Form C. P. F. 3.

(2) The Vikas Adhikari concerned in respect of the employees of the Panchayat Samiti and Secretary, in respect of the employees of Zila Parishad shall prepare cheque towards pay-

ment of subscriptions and revision of withdrawals as also the amount of contribution payable by a Panchayat Samiti or a Zila Parishad, as the case may be, in favour of the Treasury Officer. He shall send it to Treasury Officer duly supported with challans. The Treasury Officer shall after the receipt of the amount, send a copy of the challan to the Vikas Adhikari, or the Secretary, as the case may be. A copy of the receipted challan shall be sent to the Accounts Officer ( Examiner Local Fund Audit ) along with Schedule in form C. P. F. 3.

*Para 5—*(1) The Accounts Officer shall keep a copy of the receipted challan in a proper file. The total amount of challans received in a month shall be entered in the register in "Form C. P. F. 4 and the total amount of such challan shall be entered in the Contributory Provident Fund Account of the Zila Parishad concerned."

(2) A separate ledger in Form C. P. F. 6 shall be kept by the Accounts Officer showing the accounts of all subscribers. One page of the ledger shall be allotted in the name of each subscriber. Each ledger account shall be posted from the Schedule of Recoveries and Contributions (Form C. P. F. 3).

*Para 6—*(1) Advance to a subscriber under rule 12 of the Rajasthan Panchayat Samiti and Zila Parishads Contributory Provident Fund Rules, 1959 will be paid by a cheque through Vikas Adhikari or Secretary, Panchayat Samiti/Zila Parishad as the case may be. An intimation of the payment of cheque will be sent to the Vikas Adhikari or Secretary, as the case may be shall arrange to recover instalments in accordance with rules.

(2) On issue of cheque in the name of subscriber an entry shall be made in the appropriate column of the register in Form C. P. F. 4.

(3) A receipt shall be obtained from the subscriber at the time of payment of the cheque by Vikas Adhikari or Secretary, Zila Parishad who will forward the same to the Accounts Officer. The ledger accounts ( C. P. F. 6 ) of the subscriber shall be posted from the receipt. In token of posting having been made, the following encasement shall be made on the receipts:—

"Posted in the ledger account of.....Shri.....  
Account No .....L. F. No....."

(4) Amount of all cheques issued during a month shall be posted in the register in form C. P. F. 5.

*Para 7—*A monthly check register shall be kept in form C. P. F. 7—This register shall be posted from each ledger account after the postings in the individual ledger accounts have been completed. The balance in the register shall then be tallied

Signature of the Head of Office.  
Designation.

## OFFICE OF THE

No.

Dated ..... ..

Returned with account number allotted. This number should be quoted in all correspondence connected therewith. A form of nomination along with a Contingent Notice of Cancellation in one of the prescribed forms, duly filled in, may be sent as soon possible.

Signature.

Designation.

## FORM C P F. 2

## General Index Register

Account No.	Ledger folio.	Name and designation of subscriber.	Office in which employed.	Nomina- tion when received.	Date of and reason for closure of account.	Amount finally repaid.	Remarks.
1.	2	3	4	5	6	7	8

## FORM C.P.F. 3

## Schedule of Recoveries and Contribution

Account No.	Name	Pay or Leave Salary during the month	Monthly subscription	Refund or withdrawal	No. of Amount Instal-ment	Total realised	Remarks.
1	2	3	4	5	6	7	8

Total .....

1. Total Subscription realised during the month..... ..

2. Total amount of refunds or withdrawals  
..... ..

Total (1) Plus (2) .....

3. Contribution by Zila Parishad/Panchayat Samiti..... ..

Grand Total

## FORM C.P.F. 4

## Zila Parishad (C.P.F.) P.D. Accounts Ledger

Name of the Fund ... ..

Month.... ..

Date & month	By whom deposited/ to whom paid	Name of Treasury Sub-Treasury	Date & No. of Challan/Cheque
1	2	3	4

Receipts	Payments	Balance	Initial of Superintendent	Initials of Gazetted Officer
5	6	7	8	8

## FORM C.P.F. 5

## Zila Parishad Contributory Provident Fund Account

Month	Opening Balance	Total receipt as per Register C.P.F. 4	Total 2&3	Total payments as per register C.P.F. 4	Closing Balance	Remarks
1	2	3	4	5	6	7

Closing Balance as above.....  
Interest paid during the year.....

Closing Balance



FORM C.P.F. 6

LEDGER

Name .....

Account No. ....

Date of commencement of subscription .....

Name of the Nominee.....

Pay on 31st March of preceding year Rs .....	Subscription				Monthly Balance	Contribution	
	Subscrip- tion	Refund or withdrawal	Total	With- drawal		Amount	Remarks
April.....							
May.....							
June.....							
July.....							
August.....							
September..							
October .....							
November...							
December...							
January .....							
February ..							
March .....							

Total

Balance for 19 .. -19 .....

Deposit & Refunds as above .....

Interest for 19.....-19 ....

Total.....

Deduct withdrawals as above .....

Balance on 31st March, 19

Contribution.....

Balance from 19-19...

Interest for 19.....

Total....

Balance on 31st March

FORM C.P.F. 7

Monthly Check Register for the month of.....

Account No	Opening Balance	Receipts	Contributions	Total 2 plus 3 plus 4.	Withdra- wals.	Closing Balance.
1	2	3	4	5	6	7

FORM C.P.F. 8

Office of the Secretary.....Zila Parishad

Year of Account

Rate of Interest.....Per cent

Account	Name of Subscriber.	Opening balance.	*Deposit during the year.	Interest for the year.	Withdrawals during the year.	Balance.
1	2	3	4	5	6	7
		Rs.	Rs.	Rs.	Rs.	Rs.
	(subscription) .. .. .					
	contribution.....					
TOTAL						

\*Includes recoveries made during the months of April to March.

Note—1. The subscriber is requested to state whether he desires to make any alteration in any nomination made under the rule of the Fund.

Note—2. The subscriber is requested to satisfy himself as to the correctness of the statement and to bring errors, if any, to the notice of the Secretary, within six month (s) from the date of its receipt.

Secretary.

Secretary ... ..Zila Parishad.

I hereby acknowledge the receipt of the Annual Statement of my Contributory Provident Fund Account for the year 19 ... ..19... .. and accept the balance shown therein as correct.

..... note correct for the reasons given overleaf.

Name.....  
Fund Account No.

FOR USE IN THE OFFICE OF SECRETARY ZILA PARISHAD

Noted in the ledger Card Auditor.

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS SERVICE RULES, 1959

[Notification No. F. 3 (38) Appts. 'D'/59, dated 30-9 1959 published in the Rajasthan Gazette, Part IV-C, Ex. Ord., dated 1-10-1959].

In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 and all the provisions enabling in this behalf, the Government of Rajasthan makes the following Rules regulating recruitment to and conditions of service of the Rajasthan Panchayat Samitis and the Zila Parishads Service.

1. *Short title and commencement.*—These Rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959 and shall come into force with effect from 2nd October, 1959.

2. *Definitions.*—In these Rules, unless there is anything repugnant in the subject or context:—

(a) "Act" means the Panchayat Samitis and Zila Parishads Act, 1959.

(b) "Commission" means the Selection Commission constituted under section 86 (6) of the Act.

(c) "Committee" means the District Establishment Committee constituted under section 88 of the Act.

(d) "Direct recruitment" means recruitment by the method prescribed by Rule 7.

(e) "Division" means Revenue division.

(f) "Former Appointing Authority" means the authority competent to make appointment before the enforcement of the Rules.

(g) "Government" means the Government of Rajasthan.

(h) "Panchayat Samiti" and "Zila Parishad" means the Panchayat Samiti and Zila Parishad constituted under the Act.

(i) "Member of the Service" means a person appointed substantively to a post in the Service under the provisions of these rules.

(j) "Schedule" means a Schedule to these Rules.

(k) "Service" means the Rajasthan Panchayat Samitis and the Zila Parishads Service.

(l) "State" means the State of Rajasthan.

(m) "Vikas Adhikari" means the Officer appointed with that designation by the State Government or by such authority as may be authorised by the State Government in that behalf.

(n) "Appointing Authority" means the Panchayat Samiti or the Zila Parishad, as the case may be.

(o) "Consolidated Fund of the State" means the fund constituted for the State under Article 266 (1) of Constitution of India.

(p) "Medical Officer" means the District Medical and Health Officer, or Principal Medical Officer or Chief Medical Officer or a Medical Officer not below the rank of a C.A.S. Class I.

(q) "Lowest Grade" means the lowest grades prescribed for different qualifications and experience in the same category of posts.

3. The strength of the Service shall be such as may be fixed from time to time under sec. 31 of the Act for each Panchayat Samiti or under sec. 60 of the Act for each Zila Parishad.

(i) The Service shall consist of the following categories of posts:—

1. Village Level Workers.
2. Gram Sevikas.
3. Primary School Teachers.
4. Field-men.
5. Stock men
6. Stock Assistants,
7. Veterinary Compounders.
8. Poultry Demonstrators.
9. Sheep and Wool Supervisors.
10. Dressers.
11. Vaccinators.
12. (i) U.D. Cs. (including Accounts Clerks).
- (ii) L.D. Cs. (including Typists).
13. Drivers.
14. Projector Operators.
15. Mates (Industries).
16. Group Panchayat Secretary.

Each category may be divided into different grades as shown in the Schedule.

(2) The Government may encadre any other category of post in the service excluding Class IV posts.

5. *Initial constitution of the Service.*—(1) All persons holding appointments in the different categories of posts included in

the Service immediately preceding the constitution of the Service shall be deemed to have been substantively appointed thereto by the Panchayat Samitis or the Zila Parishads as the case may be, under the provisions of these Rules :

Provided that a permanent Government employee may within 90 days of the enforcement of these Rules exercise his option not to become a member of the Service. In which case the former appointing authority may take such action as it may deem necessary in accordance with the provisions of the Rajasthan Service Rules :

Provided further that a temporary Government Employee may within 30 days of the enforcement of these Rules exercise his option not to become a member of the Service, in which case, the former appointing authority shall terminate his services under the provisions of the Rajasthan Service Rules.

(2) An employee whether permanent or temporary who exercises option under the provisions of sub rule (1) not to become a member of the Service shall be deemed to have been served with the notice of discharge under the provisions of the Rajasthan Service Rules with effect from the 2nd October, 1959 and will be deemed to be on deputation with the Panchayat Samiti or the Zila Parishad, as the case may be, from the 2nd October, 1959 till the former appointing authority absorbs him on another post or discharge him under the provisions of the Rajasthan Service Rules.

(3) Holders of any other category of posts which may be encadred under Rule 4 (2) in the Service after the commencement of these Rules shall also be dealt with in accordance with the above provisions of this Rule.

6. *Sources of recruitment.*—Vacancies after the commencement of these Rules shall be filled:—

(a) by direct recruitment in the lowest grade of each category;

(b) by promotion from a lower to a higher grade in the same category;

(c) by transfer of persons holding corresponding posts under a Panchayat Samiti, Zila Parishad or Government:

Provided that no Government servant shall be transferred to the Service without his prior consent.

Provided further that the vacancies in the category of Upper Division Clerks may be filled in by direct recruitment from amongst the candidates holding degree in Arts, Science, Agriculture or Commerce of the University established by law in India, if no member of the service be found eligible for

promotion to fill up such vacancies and it be not possible to fill up such vacancies by transfer in accordance with these rules.

7. *Reservation of vacancies.*—(1) Reservation of vacancies for Scheduled Castes and Scheduled Tribes shall be in accordance with the orders of Government for such reservation in force at the time of recruitment. For ex-service men,  $12\frac{1}{2}\%$  of the total vacancies in a year shall be reserved.

(2) In filling the vacancies so reserved, the candidates who are members of the Scheduled castes and Scheduled Tribes shall be considered for appointment in the order in which their names appear in the list irrespective of their relative rank as compared with other candidates.

(3) If a sufficient number of candidates who are members of the Scheduled Castes and the Scheduled Tribes is not available for filling up all the vacancies so reserved, the remaining vacancies so reserved, the remaining vacancies shall be filled up by the appointment of other candidates in the list and an equivalent number of additional vacancies shall be reserved for candidates belonging to the Scheduled Castes and the Scheduled Tribes to be filled in next year :

Provided that if a sufficient number of suitable candidates belonging to the Scheduled Castes and the Scheduled Tribes is not available as a result of the said examination/section or interview in the next year to fill up all the reserved vacancies, the additional vacancies or such of them as are not filled, shall lapse.

*Note:*—The Reservation shall be calculated on the basis of total vacancies. The adjustment of fractions shall be made over a period of five years.

(4) There shall be no reservation for promotion.

8. *Determination of vacancies.*—Subject to the provisions of these Rules, and the directions of Government, if any, the Panchayat Samiti or the Zila Parishad shall determine and intimate to the commission at the commencement of every year the number of vacancies anticipated under each category during the following calendar year and the number of persons likely to be recruited by each method.

9. *Nationality.*—A candidate for appointment to the service must be—

(a) citizen of India, or

(b) a subject of Sikim, or

(c) a subject of Nepal, or a former French possession in India, or

(d) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India.

Provided that if he belongs to category (c) and (d) he must be a person in whose favour a certificate of eligibility has been given by the Government of India :

Provided further that if he belongs to category (d) the certificate of eligibility will be valid only for a period of one year from the date of his appointment beyond which he can be retained in service only if he becomes a citizen of India.

A candidate in whose case a certificate of eligibility is necessary, may be admitted to an examination or interview conducted by the Commission and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government of India.

10. *Age*.—A candidate for direct recruitment must have attained the age of 18 years and must not have attained the age of 25 years on the first day of January following the date of application :

Provided that—

(i) The upper age limit for a candidate of a Scheduled Caste or a Scheduled Tribe, shall be 30 years.

(ii) The upper age limit for ex-service men shall be 50 years.

(iii) The upper age limit for Jagirdars, including Jagirdars sons, who did not have any sub-jagir for their subsistence, shall be 40 years till 31st December, 1961.

(iv) The upper age limit for persons already working as Secretaries Gram Panchayat shall be relaxable upto the period of service rendered as Panchayat Secretary subject to a maximum limit to three years.

(v) The upper age limit belonging to female sex shall be thirty five years.

(vi) The upper age limit for persons who were within the prescribed age limit on their temporary appointment under a Panchayat Samiti/Zila Parishad shall be relaxable upto the period of service rendered by them under a Panchayat Samiti/Zila Parishad.

Provided further that the restriction with regard to the upper age limit shall not apply to the cases of candidates who were selected and sent for training arranged by the Government prior to 31st December, 1961:

Provided also that the commission may relax upper age limit by a period of 5 years if it finds that suitable candidates, within the age limit prescribed in this section, are not available

at any particular time or in any particular area. Such relaxation shall however, be made in respect of the entire category of the service and not in any individual case or cases.

*Note*—(Omitted)

11. *Academic qualifications and qualifying service.*—A recruit to the various categories of service must possess the minimum educational qualification or technical qualification and experience detailed in schedule to these Rules.

12. *Character.*—A candidate for direct recruitment to the Service must produce to the Commission a certificate of good character from the Principal Academic Officer of the University, College, School and institution into which he was last educated and two such certificates written not more than six months prior to the date of application from two responsible persons not connected with his University, College, Institution and not related to him.

*Note*—A conviction by a court of law need not by itself, entail the refusal of a certificate of good character. The circumstances of the conviction should be taken into account and if they involve no moral turpitude or association with crimes of violence or with a movement which has as its object the overthrow by violent means of Government as by law established, the mere conviction need not be regarded as a disqualification.

13. *Physical fitness.*—A candidate for direct recruitment to the Service must be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his duties as a member of the Service, and must produce, if selected for appointment, a certificate to that effect from the Medical Officer.

14. *Canvassing.*—No recommendation for recruitment either written or oral other than that required under the Rules shall be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his candidature by other means may disqualify him for recruitment.

## PROCEDURE FOR DIRECT RECRUITMENT

15. *Inviting of applications.*—(1) On a requisition for direct recruitment to the Service having been made by the Panchayat Samitis or Zila Parishads to the Commission, applications shall be invited by the Commission in such manner as they may deem fit.

16. *Form of applications.*—The application shall be made in the form prescribed by the Commission and obtainable from



the officer empowered by the Commission on payment of such fee as the Commission, may from time to time, prescribe.

17. *Scrutiny of applications.*—The Commission shall scrutinise the applications received by them and require as many candidates qualified for appointment under these rules as seem to them desirable to appear before them for interview.

“17A. *Absorption in the Service of Secretaries of Panchayat.*—(1) Notwithstanding anything contained in the foregoing rules persons holding the post of Secretaries to Panchayats shall be eligible for appointment as Village Level Workers [or Group Panchayat Secretaries]<sup>1</sup> provided they are middle passed and have not attained the age of 35 years at the time of preparation of list mentioned in sub-rule (2) of this rule.

(2) The State Government in pursuance of the scheme to appoint Village Level Worker-cum-Panchayat Secretary in each Panchayat [ and Group Panchayat Secretary in a Group of Panchayats ]<sup>1</sup>, according to a phased programme, shall prepare a list of such Secretaries, who may be suitable for absorption as Village Level Workers [ or Group Panchayat Secretaries ]<sup>1</sup> and send the same to the Commission.

(3) The Commission, on receipt of such list shall scrutinise the list and select such of them for appointment to the post of Village Level Worker [ or Group Panchayat Secretary ]<sup>1</sup> as fulfil the qualifications and conditions mentioned in sub-rule (1) of this rule. The Commission shall prepare a district-wise merit list of such persons and forward the same to the District Establishment Committee of the district concerned for allotment to the Panchayat Samiti under rule 18 (2) and for appointment by the Panchayat Samiti under rule 19.

18. *Recommendations of the Commission.*—(1) The commission shall prepare a district-wise merit list of candidates considered suitable for appointment to each grade or category of posts in the District and forward the list to the District Establishment Committee of the District concerned.

(2) The District Establishment Committee shall, on receipt of requisition from the Panchayat Samitis or Zila Parishad, allot candidates from the list in the order in which their names occur in the list. The Panchayat Samitis or the Zila Parishad shall take into consideration the requirements of Rule 7 while sending their requisitions to the District Establishment Committee.

19. *Appointment by Panchayat Samitis or Zila Parishad.*—The Panchayat Samiti or the Zila Parishad shall appoint the candidates allotted by the District Establishment Committee

in the order in which their names are forwarded by the District Establishment Committee

## PROCEDURE FOR RECRUITMENT BY PROMOTION & TRANSFER

20. *Criteria for selection.*—(1) For purposes of promotion, a selection on the basis of seniority-cum-merit shall be made from amongst the members of the service serving in the District eligible for such promotion in accordance with the provisions of columns 5 and 6 of the schedule.

(2) In selecting the candidates for promotion regard shall be had to their:—

(a) technical qualifications and knowledge.

(b) tact, energy and intelligence,

(c) integrity, and

(d) previous record of service.

21. *Procedure for selection.*—Whenever vacancies in various grades and categories of Service in the District are to be filled by promotion, the Committee shall invite recommendations from the Panchayat Samitis or Zila Parishads. After taking into consideration the recommendations received and the annual confidential reports and other service records of persons recommended for promotion, and those proposed to be superseded, prepare districtwise list of persons suitable for promotion in the grade and category in order of seniority, giving reasons for supersession of persons, if any.

22. (1) On receipt of requisitions from the Panchayat Samitis or Zila Parishads the Committee shall allot persons from the districtwise list, in the same order in which their names occur in the list.

(2) The Panchayat Samitis or Zila Parishads shall on receipt of the allotment from the Committee appoint the persons so allotted to the post for which they are selected by the Committee.

22-A. *Transfer of a Government servant to posts in the Service*—Upon receipt of a requisition from the Panchayat Samiti or Zila Parishad to the effect that no member of the service is available for appointment to the post in the service by promotion or transfer from other Panchayat Samitis or Zila Parishads and the post is to be filled by transfer of a person holding a post in the State Service corresponding to a post in the Service, the District Officer (Collector) shall, after obtaining the consent of such Government servant and approval of the

Head of the Department concerned in this behalf, send recommendation for transfer of such person to the District Establishment Committee. The Committee shall then allot such person to the Panchayat Samiti or Zila Parishad concerned. The Panchayat Samiti and Zila Parishad, as the case may be, shall then appoint the person so allotted to the post on terms and conditions laid down in the Rajasthan Panchayat Samiti (Terms and conditions of deputation of Vikas Adhikaris, Extension Officers and other officers) Rules, 1959.

*“22-B. Recruitment by transfer to the Service of Government servants declared surplus on reduction/abolition of posts.—*

(1) When a Government servant is, or is likely to be, rendered surplus due to reduction/abolition of posts under the Government, he may, with his consent, be appointed by transfer to the Service, in the manner hereinafter provided in this rule on a post declared by the Government to be equivalent to the post held by such Government Servant immediately before such transfer.

(2) A list of such persons rendered surplus under the Government shall be sent to the Commission who shall, out of such list, select persons for posts in the Service for each district and allot the person so selected to the Panchayat Samiti/Zila Parishad to the extent of number of vacancies existing in such Panchayat Samiti/Zila Parishad. A copy of the list sent to the commission shall also be simultaneously sent to the Head of the Department concerned.

(3) The Panchayat Samiti or Zila Parishad, as the case may be, shall appoint the persons so allotted on an equated post on such terms and conditions as are applicable thereto.

*22-C. Absorption of members of the Service rendered surplus on reduction/abolition of posts.—*(1) On reduction/abolition of certain posts in the Service, a list of persons rendered surplus shall be communicated by the Panchayat Samiti/Zila Parishad to the Government with a copy to the District Officer (Collector) on the basis of which the Government shall prepare a district-wise list of persons thus rendered surplus in the Service.

(2) A list of such of the surplus personnel which can be absorbed within the District will be forwarded by the Government to the District Establishment Committee in accordance with the number of vacancies then existing in the service on similar posts or on posts declared by the Government to be equivalent to the posts in the Service brought under reduction.

(3) The Committee shall accordingly allot such persons to the Panchayat Samiti or Zila Parishad concerned which shall appoint persons so allotted to similar posts or to equated posts

in the service on terms and conditions as may be applicable to such equated posts.

(4) A list of such persons who are proposed to be absorbed outside the district will be sent by the Government to the Commission which shall absorb them on similar or equated posts, following the procedure prescribed in sub-rule (2) and (3) of Rule 22-B, except that a list of persons to be so absorbed may not be sent to the Head of the Department.

### TEMPORARY APPOINTMENTS

23. (1) In case no selection has been made or no person selected by the Commission is available at any time, for filling a vacancy, appointment may be made by the Appointing Authority temporarily for a period not exceeding six months, provided the filling up of the vacancy is required emergently and a certificate to the effect that no selected candidate is available has been obtained from the Committee.

(2) If it is proposed to fill the vacancy by direct recruitment temporarily, the nearest Employment Exchange may be asked to send a panel of names of persons possessing the required qualifications at least 5 times the number of vacancies to be so filled. The appointing authority will then appoint from out of the panel of candidates suitable for the post.

(3) If it is proposed to fill vacancy by promotion temporarily, the senior most employee in the next lower grade may be so appointed by the appointing authority.

Provided that if the record of the senior most employee is not satisfactory the person immediately below him may be so appointed.

(4) The period of such temporary appointment may, however, be extended beyond six months, only with the previous concurrence of the Committee.

(5) The temporary appointment made under this Rule shall not be continued for a period exceeding 12 months without the prior concurrence of the Commission.

(6) The temporary appointment made under this Rule shall terminate as soon as a candidate selected by the Commission or Committee, as the case may be, is made available. Candidates so made available and placed at the disposal of Panchayat Samiti/Zila Parishad shall be appointed by the appointing authority forthwith, on the vacancies against which temporary appointments have been made, and on their reporting for duty, persons holding temporary appointments shall be deemed to

have vacated their office and shall not be entitled to any salary thereafter.

**24. Seniority.**—Seniority in each grade or category shall be determined by the date of the order of substantive appointment to a post in that in grade or category :

Provided—

- (i) that the seniority Inter se of the members of the Service, appointed to posts in a particular grade or category before the commencement of these Rules, shall be such as has been or may be fixed by the Government,
- (ii) that if two or more persons are appointed to the posts in the same grade or category under the same order or orders of the same date, their seniority shall be in the same order in which their names appear in the districtwise list prepared by the Commission or Committee as the case may be,
- (iii) that the seniority of persons appointed by transfer from Government service, after the commencement of these Rules, shall be determined *ad hoc* by the Committee on the basis of continuous length of substantive service on the analogous post.

**25. Probation.**—All members of the service other than those appointed on the initial appointment to the service and those taken on transfer from the Government service shall, on appointment be placed on probation. The period of probation shall be two years for those appointed by direct recruitment and one year for those appointed by promotion.

**26. Unsatisfactory progress during probation.**—(1) It is appears to the Zila Parishad or Panchayat Samiti that a member of a Service has not made sufficient use of his opportunities or that he has failed to give satisfaction, the Panchayat Samiti or the Zila Parishad may remove him from Service, or in case he has a substantive post, revert him thereto :

Provided that the Panchayat Samiti/Zila Parishad may extend the period of probation of any member of the Service by a period not exceeding one year in all.

(2) A probationer reverted or removed from Service during or at the end of the period of probation under sub-rule (1) shall not be entitled to any compensation.

**27. Confirmation**—A probationer shall be confirmed in his appointment at the end of the period of his probation if the Panchayat Samiti or the Zila Parishad is satisfied that his in-

tegrity is unquestionable, his work is satisfactory and that he is otherwise fit for confirmation.

28. *Transfer within the District.*—The name of the employee desiring transfer or desired to be transferred within the district shall be communicated to the Committee by the Panchayat Samiti or the Zila Parishad, as the case may be. The Committee shall thereupon enter these names in a districtwise list.

(2) Appointment by transfer of such an employee shall be made by the Panchayat Samiti or the Zila Parishad concerned on the recommendation of the Committee which shall consult the Panchayat Samiti or the Zila Parishad, as the case may be, under whose administrative control they are for the time being and also under whose administrative control they are proposed to be transferred.

(3) On transfer of the employee, his confidential roll and service record will be transmitted, without avoidable delay, to the Panchayat Samiti/Zila Parishad to whom his services have been transferred.

29. *Transfer outside the District.*—The name of the employee desiring transfer or desired to be transferred from one district to another shall be communicated to the Commission by the Panchayat Samitis or the Zila Parishads, as the case may be. The Commission shall thereupon enter these names in a districtwise list.

(2) Appointment by transfer of such an employee shall be made by the Panchayat Samiti or the Zila Parishad concerned on the recommendation of the Commission which shall consult the Panchayat Samiti or the Zila Parishad, as the case may be, under whose administrative control they are for the time being and also under whose administrative control they are proposed to be transferred.

(3) On transfer of an employee, his confidential roll and service record will be transmitted without avoidable delay to the Panchayat Samiti/Zila Parishad to whom his services have been transferred.

(4) Seniority of an employee so transferred will be determined *ad hoc* by the Committee of the District to which he is transferred on the basis of the continuous length of substantive service on an analogous post.

30. *Re-transfer of a member of the Service to posts under the Government.*—Persons appointed to the Service under Rule 5 may be retransferred by the Panchayat Samitis or the Zila Parishads as the case may be, to a post under the Government.

in consultation with the Head of the Department concerned, provided the employee has been declared surplus by the Commission.

### PAY

31. *Scales of pay.*—The scales of pay and special pay, if any, admissible to a member of the service shall be such as may be fixed by the Government from time to time. The existing scales of pay and special pay if any for the various categories of posts are as shown in the schedule.

31-A. The Panchayat Samitis and Zila Parishads may, subject to the approval of the State Government, also grant premature increments not exceeding two in all to a member of the service in special circumstances justifying grant of such increments on the recommendations of the District Establishment Committee.

32. *Increment during the period of probation.*—A probationer shall draw increments in the scales of pay admissible to him during the period of probation as they accrue provided that if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increment unless the authority granting the extension directs otherwise.

33. *Criteria for crossing Efficiency Bar.*—No member of the Service shall be allowed to cross the Efficiency Bar unless he has worked satisfactorily and his integrity is unquestionable.

### OTHER PROVISIONS

34. *Regulation of pay, leave, allowances, pension etc.*—Except as provided in these Rules and till such time as separate Rules are framed on any or all of these matters, the pay, allowances, pension leave and other conditions of service of the members of the Service shall be regulated *mutatis mutandis* by the Rajasthan Service Rules, 1951 and the Rajasthan Travelling Allowance Rules :

*Note*—It has been decided to extend the benefit of study leave rules contained in section VI of Chapter XI of the Rajasthan Service Rules to the Village Level Workers (General Service) who have put in 6 years of service as such except that the Government may for reasons to be recorded, reduce the period to four years in specially deserving cases and seek admission to educational courses in Agricultural or Veterinary Colleges or Rural Institutes for a period not exceeding four years in the whole period of service of the incumbent, such leave shall not be granted at a time to more than 10% of the

actual strength of the Village Level Workers in the particular district. The leave shall be granted by the District Establishment Committee on the recommendation of the Panchayat Samiti concerned. The leave salary of the study leave shall be payable by the Panchayat Samiti from which he proceeds on such leave.

35. *Pension and Provident Fund.*—A member of the Service shall be entitled to the payment of a pension by the Government out of the Consolidated Fund of the State and every Panchayat Samiti and Zila Parishad shall make and pay pension contribution to the Government on that account in accordance with the rates laid down in Appendix V to the Rajasthan Service Rules :

Provided that—

It any person referred to in rule 5 is not entitled to the benefit of a pension under the Rajasthan Service Rules but has since before the date of the constitution of the Panchayat Samiti under which he holds appointment, been a regular subscriber to a Contributory Provident Fund in lieu of the benefit of pension he shall not be entitled to a pension and continue to subscribe to that Contributory Provident Fund in accordance with the rules applicable thereto and the contribution of a Panchayat Samiti or the Zila Parishad on that account shall be determined in accordance with the provisions applicable to the Fund.

36. *Matters relating to integration and fixation.*—Matters relating to integration, fixation of pay, seniority etc. of employees appointed to the service under Rule 5 shall be such as may be determined by the Government from time to time.

37. (Omitted).

38. *Eligibility for promotion to State Service.*—A member of the Service shall be eligible for appointment or promotion to next higher posts in State Services in accordance with the rules applicable to those Services. Persons so appointed or promoted shall count the period of their holding the post substantively in the service for purposes of seniority. They will also count this period for purposes of pension in accordance with the provisions of the Rajasthan Service Rules.



S. No.	Category of post & grade (if any)	Qualification required for direct recruitment.	Post from which appointment can be made by promotion.	Minimum Experience qualification required for promotion.	Remarks
1	2	3	4	5	6
	<b>Village level workers.</b>				
1.	(Gram Sewaks & Gram Sewikas)		Gram Sewaks & Gram Sewikas.	Gram Sewaks. (1) 5 years service. Preference will be given for achievements in productive programme and for securing People's participation. (2) Trained both in basic & extension training except Gram Sewaks recruited before 1-4-56 who must have done at least extension training.	
				Gram Sewikas	(1) 3 years service trained in Home Science Wing,

Matric trained in both basic and extension for Gram Sewaks & Home Science for Gram Sewikas except those recruited before 1-4-56—

- (i) Matric untrained, or
- (ii) Non-Matric trained in both basic and extension for Gram Sewaks or Home Science for Gram Sewikas, or

(iii) Middle pass or India Army II Class for persons who are ex-servicemen.

Primary School-  
Teachers

Matric Trained.

- (i) Holders of untrained Matric Grade.

Must be Matric and Trained.

No direct recruitment in Grade III & IV will now be made.

- (ii) Holders of Trained Middle Grade

Must have passed Matric.

Trained Matric and Grade III trained middle shall automatically be allowed to the persons fulfilling the qualifications laid down for these grades.  
(2) The minimum qualifications required

for direct recruitment in respect of women candidates shall be middle standard or condensed course of training conducted by institutions recognised by the State Govt or the Central Government.

Matric. Holders of Un-trained Middle grade. Must have passed Matric.

3. (a) Field-men Senior. Matric with Diploma from Agri. School or having Agri. as optional subject in Matric. Field-men Junior Middle passed with 7 years Exp in Agriculture. ....

(b) Field-men Junior Must be Hindi knowing. ....

4. Veterinary Com-pounder. Matric with Science or Middle passed with six months Trg. at Vety. and Animal Husb. School, Jodhpur. Dressers. Must be trained at Vety. Animal Husbandry School, Jodhpur or 5 years, Exp. as Dresser.

5. Poultry Demonstrator Matric with 6 Months Exp. in Poultry Farming ....

and Non-Matric with 2 years Exp. in Poultry Farming.

6. Stock men and Stock Assistants.

Matric with science or Middle passed with six months training at veterinary and Animal Husbandry School, Jodhpur.

7. Sheep & Wool

—do—

Supervisors

8. Dressers.

Hindi knowing with exp. in Dressing work.

9. Vaccinators.

Middle or 8th Class passed.

10. Upper Division Clerks (including Accts. Clerks).

Lower Division Clerk.

7 years Exp. 3 years Exp. in Graduate.

Accts. Clerks must have passed the Accts clerks' Examination held by Rajasthan Public Service Commission.

Lower Division Clerks (including Typists).  
Must be Matric or must possess Hindi & Sanskrit qualifications recognised by the Commission as equivalent to that of Matriculation. Knowledge of typing will be preferred.

11. Drivers.	Hindi knowing must possess Driving Licence.	....	Must be Middle passed with Exp. of 5 years.	....
12. Projector Operators.	Matric & must possess a Projector Operating Licence, with Exp. of machine work. Must be Hindi knowing and possess a Projector Operating Licence.	Junior Grade.		
13. Mates (Industries)	Must be Hindi knowing.	...		....
14. Group Panchayat Secretary.	(i) Metric, preference will be given to those who have undergone three months' training course of Panchayat Secretary, or (ii) Metric trained in both basic and extension for Gramsevak, or (iii) Middle pass trained in both basic and extension for Gram-sevak.			....

Note:—Whenever certain qualifications are specified, it shall include such qualifications which may have been declared equivalent by the State Government as equivalent to any such qualification.

## ORDERS UNDER THE ACT

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (ADAPTATIONS & TEMPORARY PROVISIONS) ORDERS, 1959

( Order No 1 of 1959 )

[Notification No. S. O. 1, dated 10-9-1959, published in Rajasthan Gazette, Extraordinary, Part IV-C, dated 10-9-1959]

In exercise of the powers conferred by section 93 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the Government of the State of Rajasthan is pleased to make the following Order, namely :—

1. (1) This order may be called the Rajasthan Panchayat Samitis and Zila Parishads (Adaptations and Temporary Provisions) Order, 1959.

(2) It shall come into force at once.

2. In this Order, unless the subject or context otherwise requires, the expression “the Act” means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959).

3. (1) For the purpose of constituting first Panchayat Samitis and Zila Parishads under the Act by the Second day of October, 1959, it is hereby directed that the Act shall have effect subject to the modifications hereinafter set out, namely :—

(a) In clauses (9) and (15) of section 2 of the Act, after the word “constituted”, the words “or to be constituted” shall stand inserted;

(b) Section 4 of the Act shall be re-numbered as sub-section (1) of that section and—

(i) in sub-section (1), as so renumbered, for the words, figures and brackets commencing with “With effect from” and ending with “specified below”, the words, figures and brackets “In the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), hereafter in this section referred to as the “said Act” shall stand substituted, and

(ii) after sub-section (2), as so renumbered, the following new sub-section shall stand inserted—

“(2) The amendments mentioned in clauses (ix), (xiii), (xiv), (xv), (xvi), (xvii), (xx), (xxi), (xxii) and (xxiii) of sub-section (1) shall take effect in a block as from the date on and from which a Panchayat Samiti is constituted for that block under this Act and the rest of the amendments shall take effect immediately upon the commencement of this Act.”

(c) In sub-section (1) of section 8 of the Act—

- (i) after the word “shall consist of” the words “the following members, namely—” shall stand inserted, and
- (ii) in clause (e) of the proviso, after the words “shall co-opt” the words “after the date fixed for its constitution” shall stand inserted;

(d) In sub-section (2) of section 8 of the Act:—

- (i) after the words ‘Co-opted’, the words “as members” shall stand inserted,
- (ii) clause (i) shall stand omitted, and
- (iii) in the second proviso to clause (vii), for the words “State Government” the words “Officer authorised by rules to scrutinise nomination papers for co-option” shall stand substituted;

(e) In sub-section (1) of section 11 of the Act—

- (i) the word “clear” shall stand omitted, and
- (ii) for the word “seven”, the word “four” shall be substituted.

(f) Sub-section (2), (3) and (4) of section 11 of the Act shall stand omitted;

(g) In sub-section (5) of section 11 of the Act:—

- (i) after the words “a Sub-Divisional Officer”, the words “or any other gazetted officer of Government nominated by the Collector” shall stand inserted, and
- (ii) the word “adjourned”, wherever occurring and the words “also” shall stand omitted;

(h) In sub-section (2) of section 12 of the Act, after the words “Additional Collector”, the words “or any other gazetted officer of Government nominated by the Collector” shall stand inserted;

(i) In sub-section (4) of section 42 of the Act:—

- (i) after the word “Co-opted”, the words “as members” shall stand inserted, and
- (ii) in the proviso to clause (e), for the words “State Government”, words “Officer authorised by rules to scrutinise nomination papers for co-option” shall stand substituted;

(j) In sub-section (1) of section 44 of the Act:—

(i) the word “clear” shall stand omitted, and

(ii) for the word “seven” the word “two” shall stand substituted;

(k) Sub-section (2), (3) and (4) of section 44 of the Act shall stand omitted;

(l) In sub-section (5) of section 44 of the Act:—

(i) the words “adjourned” and “also” shall stand omitted, and

(ii) after the words “Additional Commissioner”, the words “or any other gazetted officer of Government nominated by the Commissioner” shall stand inserted;

(m) In sub-section (2) of section 45 of the Act, after the words “Additional Commissioner”, the words “or any other gazetted officer of Government nominated by the Commissioner” shall stand inserted.

(2) Any action taken or thing done on or before the Second day of October, 1959, under or in pursuance of the provisions of the Act as modified by sub-clause (1) of this clause shall be deemed to have been lawfully taken or done, notwithstanding anything to the contrary contained in the Act.

4. For the purpose of avoiding, clarifying and removing all doubts, it is hereby declared that, notwithstanding any provision contained in this Act and notwithstanding any rule or interpretation:—

(a) for the purposes of sections 11 and 44 of the Act, the members of the Panchayat Samiti or the Zila Parishad, as the case may be referred to in sub-section (1) of section 8, and in sub-section (3) of section 42 of the Act, shall be deemed to have become members, and shall, subject to the provisions contained in section 72 of the Act, be competent to act as such, immediately from the date of the notification issued under sections 7 and 42 of the Act respectively for the constitution of the Panchayat Samiti or the Zila Parishad; even though it be before the date appointed for such constitution, and

(b) for the purposes of sections 12 and 45 of the Act, besides the members referred to in sub-clause [a] of this clause, the members of the Panchayat Samiti or Zila Parishad co-opted respectively under sections 11 and 44 of the Act also shall be deemed to have become members and shall, subject to the provisions contained in section 72 of the Act, be competent to act as such immediately upon their co-option, even though it be before the date appointed under sections 7 and 42 of the Act for the respective constitution of the Panchayat Samiti or the Zila Parishad.



# **The Rajasthan Panchayat Samitis & Zila Parishads (Removal of Difficulties) Order, 1959**

**( Order No 2. of 1959)**

(Notification No. S.O.2, dated 10-9-1959, published in the Rajasthan Gazette, Part IV-C, Extraordinary dated 10-9-1959.)

In exercise of the power conferred in section 91 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the Government of the State of Rajasthan is pleased to make the following Order, namely :—

1. (1) This order may be called the Rajasthan Panchayat Samitis and Zila Parishads (Removal of Difficulties) Order, 1959.

(2) It shall come into force at once.

2. Notwithstanding anything contained in clause (10) of section 2 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the population of the scheduled tribes in a block or district; for the purposes respectively of clause (v) of sub-section (2) of section 8, and (d) of sub-section (4) of section 42 of the Act, shall be the population of such tribes in that block or district, as certified by the Collector of the district.

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (ADAPTATIONS) ORDER, 1959

(Order No. 3 of 1959)

[Notification No. Nil dated 25-9-59, published in the Rajasthan Gazette, Part IV-C, Extraordinary, dated 25-9-1959]

In exercise of the powers conferred by section 93 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the Government of the State of Rajasthan is pleased to make the following Order, namely :—

1. *Short title and commencement.*—(1) This Order may be called the Rajasthan Panchayat Samitis and Zila Parishads (Adaptations) Order, 1959.

(2) It shall come into force at once.

2. *Adaptations of section 26 of Act No. 37 of 1959.*—(1) In sub-section (1) of section 26 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (hereinafter referred to as the said Act), for the words, "Vikas Adhikari and such other Extension Officers", occurring in the second and third lines, the words, "Vikas Adhikari" such other Extension Officers and such other officers", shall be substituted.

(2) In sub section (2) of section 26 of the said Act, for the words "Vikas Adhikari and Extension Officer" occurring in the first line, the words, "Vikas Adhikari, Extension Officers and other officers", shall be substituted.

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (REMOVAL OF DIFFICULTIES) SECOND ORDER, 1959

(Order No. 4 of 1959)

[Notification No. Nil, dated 1-10-1959, published in the Rajasthan Gazette, Part IV-C, Extraordinary, dated 1-10-1959]

In exercise of the powers conferred by section 91 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the Government of the State of Rajasthan hereby makes the following Order, namely :-

1. *Short title.*—This Order may be called the Rajasthan Panchayat Samitis and Zila Parishads (Removal of Difficulties) Second Order, 1959.

2. *Preparation of provisional Budgets for Panchayat Samitis and Zila Parishads.*—Until a budget is prepared and passed in accordance with the provisions contained in sub-sections (1) to (4) of section 37 or sub-sections (1) to (4) of section 64 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959).

(a) The State Government shall frame for each Panchayat Samiti and for each Zila Parishad for the period commencing on the date of its constitution and ending on the 31st day of March, 1960, a provisional budget, and

(b) the provisional budget so framed shall be acted upon by the Panchayat Samiti or by the Zila Parishad, as the case may be, as if it had been passed by itself and subject to the provision contained in sub-section (5) of the said section 37 or as the case may be, in sub-section (5) of the said section 64.

# Rajasthan Panchayat Samitis & Zila Parishads (Removal of Pradhan & Up-Pradhan) Rules, 1960.

.. (Notification No. F. 4(LF) Rules/60 dated 18-10-1960, published in Rajasthan Gazette, Extraordinary, Part IV-C, dated 18-10-1960)

In exercise of the powers conferred by sub-section (1) of sec. 79 of the Rajasthan Panchayat Samiti and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959) read with sec. 40 thereof, the State Government hereby makes the following rules, namely—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Panchayat Samitis (Removal of Pradhan and Up-Pradhan) Rules, 1960.

(2) They shall come into force upon their publication in the official Gazette.

2. *Definition.*—In these rules, unless the context otherwise requires—

(1) "Pradhan" means the Pradhan of a Panchayat Samiti;

(2) "Section" means a section of the Rajasthan Panchayat Samities and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959);

(3) "Up-Pradhan" means the Up-Pradhan of a Panchayat Samiti.

3. *Preliminary inquiry.*—Before taking any action under, sub-sec. (1) of sec. 40, whether on its own motion or upon any complaint, the State Government may ask the Collector to make a preliminary enquiry and to send his report to the State Government.

4. *Charge Sheet.*—If upon consideration of the report received as aforesaid, or otherwise the State Government is of the opinion that action under, sub-sec. (1) of sec. 40 is necessary, the State Government shall frame definite charges and shall communicate them in writing to the Pradhan or the Up-Pradhan, as the case may be, together with such details as may be deemed sufficient for him to understand the nature thereof and require him to submit within such time as may be specified, a written statement indicating whether he admits the truth of all or any of the charges, what explanation or defence if any he has to offer and whether he desires to be heard in person.

5. *Inquiry.*—(1) Where no such written statement is received within the time specified, or whether the explanation

given in the written statement so received is not accepted, the State Government may itself inquire into such of the charges as are not admitted, or may appoint an enquiry officer for the purpose.

(2) The State Government may nominate any person to present the case in support of the charges before the authority inquiring into the charges (hereinafter referred to as the Inquiring authority).

(3) The inquiring authority shall, in the course of inquiry, consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charges. The Pradhan or the Up-Pradhan, as the case may be, shall be entitled to cross examine witness examined in support of charges and to give evidence in person. The person presenting the case in support of the charges shall be entitled to cross-examine the Pradhan or the Up-Pradhan, as the case may be, and the witnesses examined in this defence. If the inquiring authority declines to examine any witness on the ground that his evidence is not relevant or material, it shall record its reasons in writing.

(4) At the conclusion of the inquiry, the inquiring authority shall prepare a report of the inquiry, recording its finding on each of the charges together with reasons therefor. If in the opinion of such authority, the proceedings of the inquiry establish charges different from those originally framed, it may record findings on such charges provided that findings on such charges shall not be recorded unless the Pradhan or the Up-Pradhan, as the case may be, has admitted the facts constituting them or has had an opportunity of defending himself against them.

(5) The State Government shall, if it is not the inquiring authority, consider the record of the inquiry and record its finding on each charge.

*Explanation.*—The record of inquiry shall include—

- (i) charges framed;
- (ii) written statement of defence;
- (iii) oral or documentary evidence;
- (iv) the report setting out findings on each charge and reasons therefor.

(6) The provisions of the Rajasthan Disciplinary Proceedings (Summoning of witnesses and production of Documents) Act, 1959 (Rajasthan Act 28 of 1959) and the rules made thereunder shall also apply, mutatis mutandis, to enquiries being conducted against the Pradhan or Up-Pradhan of Panchayat Samiti as the case may be, under these Rules.

# Rajasthan Panchayat Samitis & Zila Parishads (Removal of Pradhan & Up-Pradhan) Rules, 1960.

(Notification No. F. 4(LF) Rules/60 dated 18-10-1960, published in Rajasthan Gazette, Extraordinary, Part IV-C, dated 18-10-1960)

In exercise of the powers conferred by sub-section (1) of sec. 79 of the Rajasthan Panchayat Samiti and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959) read with sec. 40 thereof, the State Government hereby makes the following rules, namely—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Panchayat Samitis (Removal of Pradhan and Up-Pradhan) Rules, 1960.

(2) They shall come into force upon their publication in the official Gazette.

2. *Definition.*—In these rules, unless the context otherwise requires—

(1) “Pradhan” means the Pradhan of a Panchayat Samiti;

(2) “Section” means a section of the Rajasthan Panchayat Samities and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959);

(3) “Up-Pradhan” means the Up-Pradhan of a Panchayat Samiti.

3. *Preliminary inquiry.*—Before taking any action under, sub-sec. (1) of sec. 40, whether on its own motion or upon any complaint, the State Government may ask the Collector to make a preliminary enquiry and to send his report to the State Government.

4. *Charge Sheet.*—If upon consideration of the report received as aforesaid, or otherwise the State Government is of the opinion that action under, sub-sec. (1) of sec. 40 is necessary, the State Government shall frame definite charges and shall communicate them in writing to the Pradhan or the Up-Pradhan, as the case may be, together with such details as may be deemed sufficient for him to understand the nature thereof and require him to submit within such time as may be specified, a written statement indicating whether he admits the truth of all or any of the charges, what explanation or defence if any he has to offer and whether he desires to be heard in person.

5. *Inquiry.*—(1) Where no such written statement is received within the time specified, or whether the explanation

given in the written statement so received is not accepted, the State Government may itself inquire into such of the charges as are not admitted, or may appoint an enquiry officer for the purpose.

(2) The State Government may nominate any person to present the case in support of the charges before the authority inquiring into the charges (hereinafter referred to as the Inquiring authority).

(3) The inquiring authority shall, in the course of inquiry, consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charges. The Pradhan or the Up-Pradhan, as the case may be, shall be entitled to cross examine witness examined in support of charges and to give evidence in person. The person presenting the case in support of the charges shall be entitled to cross-examine the Pradhan or the Up-Pradhan, as the case may be, and the witnesses examined in this defence. If the inquiring authority declines to examine any witness on the ground that his evidence is not relevant or material, it shall record its reasons in writing.

(4) At the conclusion of the inquiry, the inquiring authority shall prepare a report of the inquiry, recording its finding on each of the charges together with reasons therefor. If in the opinion of such authority, the proceedings of the inquiry establish charges different from those originally framed, it may record findings on such charges provided that findings on such charges shall not be recorded unless the Pradhan or the Up-Pradhan, as the case may be, has admitted the facts constituting them or has had an opportunity of defending himself against them.

(5) The State Government shall, if it is not the inquiring authority, consider the record of the inquiry and record its finding on each charge.

*Explanation.*—The record of inquiry shall include—

- (i) charges framed;
- (ii) written statement of defence;
- (iii) oral or documentary evidence;
- (iv) the report setting out findings on each charge and reasons therefor.

(6) The provisions of the Rajasthan Disciplinary Proceedings (Summoning of witnesses and production of Documents) Act, 1959 (Rajasthan Act 28 of 1959) and the rules made thereunder shall also apply, mutatis mutandis, to enquiries being conducted against the Pradhan or Up-Pradhan of Panchayat Samiti as the case may be, under these Rules.

6. *Consultation with Zila Parishad.*—If the State Government having regard to its findings on the charges, is of the opinion that any action under sub-section (1) of section 40 is necessary, it shall—

- (a) give such Pradhan or Up-Pradhan, as the case may be, a notice asking him to show cause why he should not be removed from his office and calling upon him to submit within a specified time such representation as he may wish to make;
- (b) after receipt of such representation, or where no such representation is received within the time specified, forward to the Zila Parishad concerned the record of inquiry together with a copy of the notice and the representation made in response thereto, for consultation.

7. *Decision.*—On receipt and consideration of the opinion of the Zila Parishad or where no opinion is received within 30 days from the date of the service of the communication for such consultation, the State Government may either exonerate the Pradhan or the Up-Pradhan, as the case may be, or may remove him from his office.

(2) Orders passed by the State Government under sub-rule (1) shall be communicated to the Pradhan, or the Up-Pradhan, as the case may be, and copies thereof, to the Collector, Panchayat Samiti, Zila Parishad and the Development Commissioner.

(3) If the order is of removal, it shall be published in the official Gazette.



# THE RAJ. PANCHAYAT SAMITIS (LOANS) RULES, 1960

(Notification No. F. 2 (58)/Plan/B/59 dated 12-2-60, published in the Rajasthan Gazette, Extraordinary, Part IV-C, dated 12-2-60.)

In exercise of the powers conferred by sub-section (1) of section 79 read with section 36 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following Rules, namely :—

1. *Short Title and Commencement.*—(i) These Rules may be called the Rajasthan Panchayat Samitis (Loans) Rules, 1960.

(ii) They shall come into force from the date of their publication in the official Gazette.

2. *Definitions.*—(1) In these rules, unless the subject or context otherwise requires—

(i) 'Act' means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959).

(ii) 'Accountant General' means the Accountant General of Rajasthan.

(iii) 'Examiner Local Fund Audit' means an officer appointed with that designation by the State Government and includes Deputy or Assistant Examiner Local Fund Audit.

(iv) 'Appendix' means an appendix appended to these rules.

(v) 'Form' means a Form appended to these rules.

(vi) 'Section' means a section of the Act.

(vii) 'Treasury' includes Sub-Treasury.

(viii) 'Year' means the financial year beginning on the 1st of April and ending on the 31st March following.

(ix) 'Loan' means all kinds of loans granted by the Panchayat Samitis to individuals, institutions or societies.

(2) Words and expressions used but not defined in these rules shall have the meanings assigned to them under the Act.

3. *Category of Loans.*—The following category of loans may be sanctioned by the Panchayat Samitis.—

(i) Short term loans.

(ii) Medium term loans.

(iii) Long term loans.

4. *Period of recovery of loans.*—Unless otherwise mentioned in the order regarding sanction by the Panchayat Samiti for a particular loan, the period of recovery shall be as specified below :—

(i) Short term loan shall be recoverable in not more than 18 months from the date of its advancement.

(ii) Medium term loan shall be recoverable in not less than 18 months and not more than five years from the date of its advancement.

(iii) Long term loan shall be recoverable in not less than 5 years from the date of its advancement.

5. *Schemes under which loans may be granted.*—Loans by the Panchayat Samitis may be granted under the following schemes :—

(1) *Community Development Programme.*—All loans under this scheme shall be long term loans recoverable in 10 years with 6½% per annum rate of interest.

The purposes for which loans may be granted under this scheme shall be as follows :—

(i) Cattle breeding, Sheep breeding and poultry breeding.

(ii) *Minor Irrigation*—Construction, deepening and renovation of wells. Installation of pumping sets, persian wheels and other types of water lifting devices. Construction of big water sources and channels. Construction of tanks, embankments etc. Installation of tube wells. Soil conservation, contour bunding and flood protection.

(iii) Rural electrification.

(iv) Rural arts and crafts i.e. loans for artisans for purchase of improved implements, tools and equipments.

(v) Housing loans for construction and remodelling of houses.

(2) *Schemes of Agriculture Department.*—All loans under these schemes shall be long term loans except loans for plantation of orchards which shall be medium term loans.

The long term loans under this scheme shall be recoverable in not more than 18 years and the medium term loans is not more than 5 years. These loans shall carry 6½% per annum rate of interest. Loans may be granted for the following purposes :—

(i) Minor Irrigation works.

(ii) Manure and fertilisers.

(iii) Distribution of improved agricultural implements.

(iv) Fruit Development Scheme.

Other conditions governing the grant of these loans are given in Appendix 'A'.

(3) *Industrial loans under the All India Handloom Board's Schemes.*—The loans under this scheme may be granted for the following purposes.—

- (i) Housing colony for weavers,
- (ii) Purchase of looms and accessories, and
- (iii) Share capital loans to weavers.

All these shall be long term loans recoverable in a period of 20 years and shall carry  $6\frac{1}{2}\%$  per annum rate of interest.

Loans for the purchase of warping machines, semi-automatic paddle looms and frame looms under item No. (ii) above shall be medium term loans recoverable within a period of five years and shall carry  $6\frac{1}{4}\%$  per annum rate of interest.

Other conditions governing the grant of these loans are contained in Appendix 'B'.

(4) *Rural Housing.*—The loans under this scheme shall be long term loans recoverable in not more than 20 years commencing from the 2nd anniversary date of drawal of the loan with  $6\frac{1}{2}\%$  per annum rate of interest. Loans under these schemes may be granted for the following purposes.

- (i) Construction of new houses.
- (ii) Re-building of an existing houses.
- (iii) Improvement of existing houses.

Other conditions governing the grant of these loans are contained in Appendix 'C'.

(5) *Construction of godowns by Co-operative Societies.*—The loans under this scheme shall be long term loans recoverable in 15 years with  $6\frac{1}{2}\%$  per annum rate of interest. The first instalment shall be recoverable after three years of the advancement of the loan and if the loan is advanced in instalments after three years of the advancement of first instalment of the loan. Loans may be granted for construction of godowns for storage and agricultural products, implements, fertilisers, seeds and other materials at the Headquarters of the Co-operative Society. Loans shall be granted when the plans and estimates for the construction of godowns have been either prepared or approved as conforming to the standard of pattern prescribed from time to time.

(6) *Revenue Taccavi.*—(a) The loans under this scheme shall be as follows :—

(1) Short term loans may be granted for :—

- (i) Purchase of seeds.

- (ii) Purchase of manure
- (iii) Purchase of agricultural implements.
- (iv) Purchase of fodder.

(2) Medium term loans may be sanctioned for :—

- (i) Purchase of bullocks, camels, cows and buffaloes.
- (ii) Purchase of persian weels.

(3) Long term loans may be sanctioned for :—

- (i) Construction of Pucca Wells.
- (ii) Construction of Kuchha Wells.
- (iii) Conversion of Kuchha Wells into Pucca Wells.
- (iv) Repairs to out of use wells.
- (v) Repairs to wells in use.
- (vi) Deepening and boring of wells.
- (vii) Construction of embankment of land.

(b) The rate of interest for long and medium term loans shall be  $6\frac{1}{2}\%$  per annum, and, for short term loans, it shall be  $5\frac{1}{2}\%$  per annum.

(c) These loans may be sanctioned subject to the following :—

(1) That the applicant is a bonafide agriculturist.

(2) That loans for purchase of tractors shall not be granted to a cultivator who owns less than 30 acres of land.

(3) That the loan for seed and manure shall ordinarily be repayable in full immediately after the harvest for which loan is granted.

(4) That the date for payment of half-yearly instalments will be the payment of land revenue dues.

(5) That loans for purchase of fodder, implements and manure shall be repayable in two half-yearly instalments or three in special cases.

(6) That loans for purchase of cattle shall ordinarily be repayable in three years.

(7) That the date for repayment for the above categories of loans shall be so fixed as to ensure that in payment of either principal or interest falls due before it can be made out of profits of the improvement.

6. *Bonds for loans.*—The amount of loans shall be paid by a Panchayat Samiti only after a proper bond in Form I is executed by the loanee and tendered to the Panchayat Samiti.

7. *Security.*—(1) No loan shall be advanced unless it has been secured against property of sufficient value of the loanee and failing that on obtaining a security bond from him and other personal sureties as may be necessary to cover the

amount of loan. The loanee and the sureties shall be jointly and severally responsible for the repayment of the loan.

(2) The sanctioning authority should be satisfied as to the adequacy of the security offered for the loan. Immovable property of any kind may also be accepted as security. Encumbrances on property pledged shall be ascertained and the amount of all encumbrances must be deducted from the valuation of the property hypothecated. The value of the security offered shall be at least one third more than the amount of the loan given.

(3) Security of a person who has himself taken loan or is in arrears of rent shall not be accepted, provided that in special cases the authority granting loan may, for a reason to be recorded in writing, accept the security of a person or persons who has or have taken a loan or loans, if such authority is satisfied that it is in the interest of increased production to grant a loan and that the loan will be repaid without difficulty.

(4) Loans to Co-operative Societies will be advanced according to their maximum credit limit duly verified by an officer of the Co-operative Department not below the rank of an Inspector or Co-operative Extension officer.

8. *Application for Loans*—(1) Application for loans shall be addressed to the Vikas Adhikari in writing by an individual, Co-operative society or institution on Form II, to be supplied free of charge by the Panchayat Samiti.

(2) All applications for such loans shall be delivered to the Village level worker who shall forward the same to the Vikas Adhikari with his views.

Provided that the applications of loans for seed and fertilizers shall be dealt with in accordance with the procedure prescribed in Appendix-D.

9. *Declaration by applicant*.—The applicant shall sign a declaration to the effect that all the facts stated in his application are true to the best of his knowledge and belief and that if a loan is granted to the loanee he shall conform in all respects to these rules and abide by the terms and conditions laid down therein.

10. *Procedure on Receipts of Application*.—The Vikas Adhikari shall scrutinise the applications and see that it is complete in all respects and that the security furnished is adequate. He will also be responsible to watch timely recovery of the loan as and when it falls due and bring the cases of default to the notice of the Panchayat Samitis for necessary action. The Vikas Adhikari shall have individual accounts of

loans maintained properly as per Rules and see that one individual does not get more than one loan for the same purpose and if more than one loan is granted for different purposes the security furnished in each case is adequate.

Provided that the applications for loans for seed and fertiliser shall be dealt with in accordance with the procedure prescribed in Appendix-D.

*[(I) Mis-use of loan advanced or non-compliance of conditions on which loan has been advanced.]*

In case of mis-use of loan or diversion thereof to any use other than for which it has been sanctioned, or on failure to comply with any of the conditions of loan, the Panchayat Samiti shall recover it in one instalment within two months from the date of such mis-use or diversion, as the case may be, and in such a case penal interest at the rate of 12% shall also be chargeable on the amount due.

*[(II) Payment of instalments of loans.]*

No subsequent instalment of any loan shall be paid without obtaining the report of the Village Level Worker.

#### FORM I

This deed is made at..... (the place where the bond is to be got executed) this..... day of 196.

Between.... (hereinafter referred to as the borrower(s) which expression, where the context so admits shall include his heirs, executors and successors) of the one part, and the Panchayat Samiti ..... (hereinafter referred to as the Samiti which expression where the context so admits shall include his successors in office and assigns) of the other part.

Whereas a loan of Rs----- (Rupees-----only) has been sanctioned to the borrower (s). By the Samiti under the----- Scheme for the purpose of-----

And whereas the Samiti has agreed to advance the loan to the borrower (s) in the manner mentioned hereinafter, on the security and on the terms and conditions hereinafter appearing.

Now this deed witnesseth and the parties hereto hereby agree as follows:

(I) The Samiti will advance the said sum of Rs ..... (Rupees .. .....only) in.....instalments at the time and in the manner provided below:—

- |           |  |                            |
|-----------|--|----------------------------|
| (a)....   |  | (How instalments are to be |
| (b).....  |  | advanced)                  |
| (c) ..... |  |                            |

(2) The borrower shall be liable to pay interest from the date of payment of first instalment of the loan to the borrower (s) till the realisation of the whole amount of loan.

(3) The borrower shall be liable to repay the amount of loan with interest in ..... equal instalments ..... the first instalment being due ..... months after the date of sanctioning the first instalment of the loan.

(4) Before the first instalment is granted, a security bond or a surety bond ( ... ), shall have to be furnished by the borrower.

(5) The borrower shall be bound to utilise the amount advanced by the Samiti for the purpose of ..... and for no other purpose.

(6) The rate of interest shall be ..... % per annum.

(7) A regular and complete account of expenses incurred shall have to be maintained and furnished to the Samiti in such manner and at such intervals as may be required by the Sanctioning Authority. In the event of not furnishing the returns and information asked for, further instalments of advance if due will not be paid and the amount of loan already paid will be liable to be recovered immediately, with interest.

(8) The borrower(s) shall permit any person or persons authorised by the Samiti in this behalf to inspect the .....

(9) The borrower shall commence the work of ..... within one month of the receipt of the first instalment of the loan and shall complete it, before the end of ..... from the receipt of the loan.

(10) If a default is made in the payment of any instalments, towards grant of the loans along with interest on the due dates, the Samiti through any person or persons authorised in this behalf shall have a right to ..... and thereafter quietly possess or may at ..... its option either sell the said ..... or any part thereof free from all encumbrances by auction, tender in private negotiations without the intervention of any Court to any other person or persons enforce against the said property or all in any of the remedies of a simple mortgage and in case the realisable from the property falls short of the amount due to the Samiti, the Samiti shall be entitled to recover the same personally from the loanees as well as from the movable or other immovable property belonging to the borrower(s) and/or Sureties.

(11) In event non-compliance with of breach or any of the conditions of this deed by the borrower(s) no further instalment(s) of advance, if due, will be paid by the Samiti, and the

whole sum then remaining due to the Samiti under this deed on account of the said loan and interest thereon and other charges incidental hereto, shall become immediately payable and the Panchayat Samiti shall recover it in one instalment within two months from the date of non-compliance or breach of any condition of this deed or provisions contained in Rule 11, as the case may be, and in such a case penal interest at the rate of 12% shall also be chargeable on the amount due.

(12) Notwithstanding the above terms and condition, the borrower(s) shall have the option at any time to pay the balance of the loan due from him/them. The amount of such balance of loan shall be determined by deducting from the said amount of loan, the amount of instalment or instalments paid by him/them less interest on the loan from the date of payment of its first instalment.

(13) The borrower shall have to pay costs, charges and expenses incidental to any document to be executed by Samiti or by him/them to fulfil the above terms and conditions.

(14) Other particulars concerning the Scheme—

- (a) .....  
 (b) .....  
 (c) .....

(15) All disputes and differences arising out of or in any way touching to concerning any documents and deeds (except those the decision thereof is otherwise provided for) shall be referred to the sole arbitration of the Collector. The award of the arbitrator so appointed shall be final and binding on the party. In witness whereof the parties hereto have signed this deed on the date respectively mentioned against their signatures.

Signature of the borrower(s).

Witness.

Address.

Signed by and for the Panchayat Samiti.

Witness.

Address.

FORM No. II

Form of Application for Loan

1. Name of the applicant.
2. Name of his father.
3. Caste.
4. Profession.
5. Residence.
6. Purpose for which the loan is required.



7. Amount of loan required.
8. Nature of security offered.
9. Name and other particulars of the sureties.
10. Whether the property of the applicant and sureties to be hypothecated is free from any encumbrance ?
11. Area of holding in possession.
12. Whether any loan was taken in the past from any source if, so, has it been paid up in full or there are arrears.
13. How much annual rent is paid ?
14. Are there any arrears of rent due ?
15. In how many instalments the loan is proposed to be repaid ?

I declare that the facts mentioned above are true to the best of my knowledge and belief and that if a loan is granted to me I shall conform in all respects to the Rules and by the terms and conditions on which the loan is granted.

Signature of the applicant

1. Report of Patwari.....
2. Report of Vikas Adhikari.....
  - (i) Estimates of total expenditure involved in the proposed work.
  - (ii) How much will the applicant contribute towards the cost of the work either out of personal resources or in the form of manual labour or both.
  - (iii) What area of land will benefit by the improvement which is sought to be financed out of this loan whether the repayment of principal and the interest can be made from the profits of the improvement ?
  - (iv) Was any loan obtained by the applicant in the past, if so, when and how much ?
  - (v) How was the loan amount utilised ?
  - (vi) Is there any arrear of loan or other public demand outstanding against the applicant or any member of his family ? If so, the details thereof such as the date of loan, purpose, name of the member, name of the Department and the reason why it is still pending ?
  - (vii) Has the V. A. made a local inspection ? If so, a description of the conditions on the spot may be given.
  - (viii) What is the financial position of the surety ? Is he otherwise a fit person for being accepted as surety ?
  - (ix) Whether any public demand is outstanding against the proposed surety ?

- (x) Whether the property offered as a security is free from encumbrances ? If not what is the nature and extent of the encumbrance ?
- (xi) Whether the V. A. recommends the grant of loan applied for, if so, the amount recommended and the reasons in support of his recommendation.

Signature.....  
Designation .....

## APPENDIX 'A'

### (i) *Minor irrigation works.*

- (a) Loans will be given for construction of new wells and deepening of old wells to meet 50 percent of the total expenditure on the basis of estimates and will not exceed Rs. 4,000/- in case of old wells.
- (b) Loans will be given to meet part or full cost of pumping sets or persian wheels on basis of the quotations of the firms from where the equipment is proposed to be purchased. The D.A.O. will be consulted in deciding the size of the equipment required for which necessary details of the sizes of the holdings to be irrigated the discharge capacity of the source of irrigation viz. well, tank etc. and depth of wells will be furnished by the applicant.

### (ii) *Manures and fertilisers.*

Loans will be given for production of composite manure in villages from night soil. The maximum loan to be sanctioned will be Rs. 2,000/- in case conservancy arrangements exist within the village and to the extent of Rs. 3,600/- where such arrangements do not exist. Loans will be utilised for purchase of land, bullocks and other necessary equipment required for preparation of night soil and approved by the D.A.O.

### (iii) *Improved Agricultural Implements.*

Loans will be given for purchase of improved agricultural implements as recommended by the Agriculture Department and the amount will not exceed Rs. 1,000/- in an individual case provided that the total cost of the implements proposed to be purchased is not less than Rs. 1,000/-.

(iv) *Fruit Development Scheme.*

Loans will be advanced to the cultivators for plantation of new orchards at a rate not exceeding Rs. 300/- per acre subject to the following conditions:—

- (a) The area to be planted is not less than one acre.
- (b) Fruit plants to be planted will be those recommended by Agriculture Department and will be purchased from the members on the approved list of the Department.

## APPENDIX 'B'

- (i) The loans given for construction of housing colonies to Weavers Co-operative Societies, financial assistance will be provided as under:—

- (i) Cost of construction of each house including the cost of land will not exceed Rs. 3,600/-
- (ii) 66.2/3% of the cost will be given as loan.
- (iii) 33.1/3% of the cost will be given as subsidy.
- (iv) The entire cost of providing amenities such as water supply drainage etc. will be given as loan.

Payment of loan will be made as under:—

- 33.1/3% along with the sanction of scheme.
- 33.1/3% when construction reaches plinth level.
- 33.1/3% when construction reaches roof level.

Housing schemes can be proposed only on behalf of established Weavers Co-operative Societies of sound financial position and whose affairs have consistently been managed satisfactorily. These societies shall advance loans only to such weaver members of the society who fully stand in need of housing would be eligible for assistance.

Property constructed by the Society under the plan shall be mortgaged to the Panchayat samiti till the amount of loan is fully repaid. A mortgage deed shall be executed by the loanee.

(ii) *Supply of looms and accessories.*

The looms and accessories are to be purchased within certain ceilings of prices fixed for each items by the All India Handloom Board. If the articles cannot be purchased within the ceiling so fixed reference to and approval of the All India Handloom Board will be necessary. The ceiling prices fixed at present for various accessories are as under:—

Particulars.	Ceiling Prices
1. Iron Reeds.	Rs. 20/- per Reed.
2. Bamboo and Cholan Reeds.	Rs. 10/- per Reed.
3. Varnish and wire healds.	Rs. 10/- per set.

4. Slays (including slays with cloth roller and slays with cloth roller, Drap etc.  
Slay with cloth roller & darping etc.  
Slay with cloth roller only  
Slay only).

Rs. 20/- per set.

Rs. 50/- per set.

Rs. 30/-

Rs. 25/-

5. Self re-easing vertical warping machine.
6. Dobbias.

Rs. 500/- per machine

Rs. 50/- per gross bord  
doppi.

Rs. 20/- per frame.

Rs. 8/- each.

7. Warping frames.

8. Drop boxes.

9. Roller Temples.

10. Semi Automatic pedal looms.

Rs. 600/- per loom.

11. Take-up motion attachments.

Rs. 70/- per loom.

12. Conversion into frame looms. (This will include take-up motion attachment. Slay Doubey, Iron Reed. Varnished heald and drop box)

Rs. 218/-

Rs. 15/- per set.

13. Heald stones.

14. Conversion of throw shuttle looms into fly-shuttle looms.

Rs. 25/-

(iii) *Share Capital loan to weavers.*

In order to enable the weavers societies to increase their own resources assistance for financing the capital of the society will be given in the following manner:—

- (i) All existing weavers co-operative societies where each share is valued at less than Rs. 25/- may increase the share value to Rs. 25/-. All existing members will contribute from their own resources 25% of the differences between the existing share value and Rs. 25/-. The remaining 75% will be made available as a loan from the cess fund.

- (ii) As a second step, existing weavers 'Co-operative Societies' where the share value is Rs. 25/- may increase it

to Rs. 50/-. Societies to be helped will be selected by the Panchayat Samiti considering the work of such societies and the need to strengthen their resources. All existing members will contribute 25% of the extra Rs. 25/- from their own resources, the remaining 75% being made available as a loan from the cess fund.

- (iii) All weavers who are to be newly enrolled in either of the two types of societies mentioned above, will have to contribute 25% of the share value from their own resources the remaining 75% being made available from the cess fund.

**Note :—**These will not be applied to silk weavers societies and industrial Co-operative societies.

According to the above procedure the weavers are entitled to receive following amounts from cess fund in the form of loan :—

S. No.	Share value	Amount to be received from Cess fund	To be subscribed by weavers
1.	Rs. 10 (new)	Rs. 7.50	Rs. 2.50
2.	To be increased from 10 to 25	Rs. 11.25	Rs. 3.75
3.	25 (new)	Rs. 18.75	Rs. 6.25
4.	To be increased from 25 to 50	Rs. 18.75	Rs. 6.25
5.	50 (new)	Rs. 37.00	Rs. 12.50

The qualification for membership of the Co-operative Society would ordinarily be the possession of a loom. Exception may be made in special case with a view to secure that weaver members of co-operative societies market their cloth only through co-operative societies.

### APPENDIX "C"

Loans will be advanced to individuals or to Registered Village Co-operative Housing Societies:—

(1) The regular amount of loan shall not exceed Rs. 1500/- or half the estimated cost of the proposed construction whichever is less.

(2) No loans shall be advanced if the plot on which the house is proposed to be built is not covered by the master plan of the village or the extent of the plot is less than the area of the plot fixed for a particular locality.

(3) Plan and specifications of the individual houses shall either be according to the model design or shall be prepared and got approved by the Overseer of the Panchayat Samiti.

(4) The houses shall have minimum accommodation of one living room, one living Varandah, kitchen and bathing-cum-washing space and shall have a minimum plinth area of 250 Sq. ft.

### APPENDIX "D"

A Panchayat Samiti may undertake the distribution of seed or fertilisers through a Co-operative Society or through any other agency, or the State Government itself may entrust the distribution of seed or fertilisers to the Co-operative Societies. If distribution is entrusted to the Co-operative Societies, it will be necessary to provide for a procedure to enable non-members to obtain their requirements of seeds and fertilisers on credit. The procedure outlined in this Appendix will be followed when distribution of seed or fertiliser is entrusted to Co-operative Societies or is entrusted by the Panchayat Samiti to any other agency.

(1) The cultivator will present his application for loan in Form II to the Village Level Worker who will scrutinise the application and assess the reasonable requirements for seed/fertilisers of the applicant, taking into consideration the area of land proposed to be cultivated under that crop and other relevant factors.

(2) The power to authorise on behalf of the Panchayat Samiti the use of seed/fertiliser on credit by the Co-operative Society or any other Agent of the Panchayat Samiti, will be exercised as under:—

Amount of loan	Sanctioning Authority
(a) Not exceeding Rs. 100/-	Village Level Worker.
(b) Exceeding Rs. 100/-but not exceeding Rs. 250/-	Village Level Worker and Sarpanch jointly.
(c) Exceeding Rs. 250/-but not exceeding Rs. 500/-	Agriculture Extension Officer
(b) Exceeding Rs. 500/-	Vikas Adhikari

*Note:—*For Ganganagar District and such other Districts or area as may be specified, the financial limits will be twice the amount mentioned above.

(3) The power to authorise loan may be exercised as above separately for seed and fertiliser and separately for each crop.

(4) The loan will not be sanctioned in cash but in kind.

(5) The loanees shall have to execute a bond in Form I before the loan is sanctioned.

(6) The sanctioning authority will issue a permit in triplicate in Form No. III, the original will be delivered to the loanee, the second copy to the Co-operative Society or the agent, while the third copy will be retained by the issuing authority. The loanee will sign or thumb mark on the back of the third copy in token of having received the permit.

(7) Details of the permits issued will be maintained by the issuing authority in a register in *pro forma IV*.

(8) A weekly statement will be submitted by the issuing authority to the Panchayat Samiti in *pro forma V*.

(9) The permit holder will obtain supplies on credit from the Co-operative Society or Agent and surrender the permit after giving a receipt on it and also on the copy of the permit with the Co-operative Society or the Agent.

(10) The Co-operative Society or the Agent will send a weekly statement to the Panchayat Samiti in Form No VI indicating the details of the seed/fertiliser issued by it on behalf of Panchayat Samiti and attach with it the receipted permits surrendered by the cultivators. A copy of this statement (without the permits) will also be sent to the issuing authority.

(11) The issuing authority will check the statement with the entries in the Register in *pro forma IV* and if there are any discrepancies, reconcile them with the Co-operative Society or the Agent.

(12) The Panchayat Samiti will incorporate information contained in *pro forma VI* received from the Co-operative Society or Agent in the Loan Register.

(13) The issuing authority will bring the application in form II and the bond in Form I of all loanees to the Panchayat Samiti in the monthly staff meeting and hand these over to the Vikas Adhikari, after checking entries in *pro forma VI*. If there are any discrepancies, these should be reconciled. A note to the effect that the applications and permits have been handed over, will be made by the issuing authority in the statement in *pro forma VI* in the office of the Panchayat Samiti.

(14) The Application, Bond and receipt should then be placed on the loanees' file in Panchayat Samiti Office.

(15) The issuing authority will use printed permit books duly page numbered and book-numbered and authenticated by the Vikas Adhikari, and shall submit a proper account of the same to the Vikas Adhikari.

(16) The responsibility for recovering these loans from non-members shall not rest with the Co-operative Society but with the Panchayat Samiti. Nor will the Agent be responsible for recovery. If the loan is not returned to the Panchayat Samiti by the 'loaneé' by the due date, the amount will be incorporated in the half-yearly Demand Statement of the Panchayat Samiti and recovered through the Revenue Department.

(17) These loans shall be governed by sub-rule (6) of Rule 5 of Panchayat Samiti Loan Rules for purpose of conditions relating to interest and recovery.

4. After Form No. II of the said rules, following new forms shall be added namely:—

"Form No. III, Form No. IV, Form V and Form No. VI"

**Form No. III**

Book No. \_\_\_\_\_ PERMIT \_\_\_\_\_ S. No. \_\_\_\_\_  
To.....(name of Co-operative Society or other Agent).

On behalf of Panchayat Samiti, ..... please issue to Shri ..... S/o ..... resident of Village ..... the following quantities of seed/fertiliser on credit:—

Name of Seed 1	Quantity 2	Name of fertiliser 3	Quantity. 4
-------------------	---------------	-------------------------	----------------

Dated.....

Signature.....  
Designation .....  
for Panchayat Samiti ...

**Form No. IV.**

**REGISTER OF PERMITS**

S. No.	Particulars of Permit			Particulars of Loaneé		
	Book No.	S. No.	Date	Name of the Cultivator	Father's Name	Name of Village.
1	2	3	4	5	6	7
Area of land under culti- vation.				Quantity permitted		
	Name of Seed	Quantity	Name of fertiliser	Quantity	Remarks	
1	9	10	11	12	12	



*Form No. V.*

Weekly statement to be sent to Panchayat Samiti by  
Issuing Authority for Week ending ..... ..

S. No. Name of the Co-op. Society or Agent. Particulars of the Permit

1	2	Book No. 3	S.No. 4	Date. 5
---	---	---------------	------------	------------

## Particulars of Loanee.

Area of land  
under culti-  
vation

Name 6	Father's name 7	Village & add- ress. 8
-----------	--------------------	------------------------------

9

## Seed allotted

## Fertiliser allotted.

Name 10	Quantity 11	Value 12
------------	----------------	-------------

Name 13	Quantity 14	Value. 15
------------	----------------	--------------

*Signature of Issuing Authority*  
*Designation.*

*Form No. VI*

Weekly statement to be sent to Panchayat Samitis by the  
Co-operative Society or Agent.

## Particulars of Permit.

## Particulars of Loanee.

S. No. 1	Book No. 2	S. No. 3	Date 4	Name 5	Father's Name 6	Village 7
----------------	---------------	-------------	-----------	-----------	--------------------	--------------

Seed issued on credit	Fertiliser issued on credit	Remarks.
-----------------------	-----------------------------	----------

Name 8	Quantity 9	Value 10	Name 11	Quantity 12	Value 13	14
-----------	---------------	-------------	------------	----------------	-------------	----

Date

*Signature of Manager, Co-operative  
Society or Agent.*

(5) Once the plans and specifications are approved there shall be no deviation without the approval of Overseer. Unauthorised deviation from the approved plan or specifications

shall result in cancellation of the loan and summarily recovery of amount already advanced.

(6) While authorising the payments of last instalment of loan it shall be incumbent on the overseer to satisfy himself that the materials used on the construction of the house are such that the structure can last for at least 20 years and that the value of the work done is not less than double the total amount of loans taken by the loanee. In the application for the loan and reference to the drawing of the rural housing cell according to which the house is proposed to be built should be mentioned. If however any change is contemplated rough sketch of the plan should accompany the application.

The copy of the title deed of the site along with the site plan of the plot showing the measurement of the plot and the boundaries on all the four sides should be sent along with the application.

If the plan other than the one made available by the rural housing cell is to be adopted than the sketch to be appended with the application should show the details in respect of the size of all rooms, height of plinth and eassing and dimensions of doors and windows.

Brief specifications proposed to be adopted for the foundation, plinth super-structure, roof, floor, doors and windows in respect of living rooms and cattle shed should be given in the application.

# THE RAJ. PANCHAYAT SAMITIS (TAXATION) RULES, 1960

[Published in Rajasthan Rajpatra. Extraordinary, Part IV-C, dated 15-3-60]

In exercise of the powers conferred by sub-section (1) of section 79 read with section 33 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 the State Government hereby frames the following rules :—

## CHAPTER I

1. *Short Title and Commencement.*—(1) These rules may be called the “Rajasthan Panchayat Samitis Taxation Rules, 1960.”

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Definitions*—(1) In these rules, unless the context otherwise requires.

- (i) ‘Act’ means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959).
- (ii) ‘Collector’ means the officer appointed with that designation by the State Government.
- (iii) ‘Tehsildar’ means the Officer appointed with that designation under the provisions of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956).
- (iv) ‘Patwari or Collection Amin’ means an official appointed with that designation.
- (v) ‘Joint Development Commissioner’ means the officer appointed with designation by the State Government.
- (vi) ‘Land Revenue’ means the annual demand payable directly to the State Government on any account whatsoever in respect of land or of any interest in or use of land and shall include assigned land revenue.
- (vii) x x

(2) Words and expressions used but not defined in these Rules shall have the meaning assigned to them in the Act.

## CHAPTER II

### General

3. *Resolution by Panchayat Samiti for imposition of tax and the intimation to appropriate authorities.*—(1) Whenever any tax

under section 33 is intended to be imposed a Panchayat Samiti shall pass a resolution to that effect.

(2) When a resolution referred to in sub-rule (1) is passed by a Panchayat Samiti to impose—

- (a) a tax on the rent payable for the use or occupation of agricultural land, at the rate of five naya Paisa in a rupee of such rent, such tax being payable by the person or persons severally or jointly in cultivatory possession of such land or in receipt of sayar income therefrom,
- (b) a tax on the rent received by any land holder on account of the use or occupation of agricultural land, at the rate of five naya Paisa in a rupee of such rent, such tax being payable by the person or persons severally or jointly receiving such rent,
- (c) a tax on the assumed rental value of agricultural land at the rate of five naya Paisa in a rupee of such value calculated in accordance with law, where no rent is payable in respect thereof,
- (d) XX.

Provided that a tax under clause (a) or clause (c) shall not be imposed alone and, if a tax under any one of the aforesaid three clauses is imposed, a tax under the other two clauses shall also be imposed.

(e) a tax on trades, callings, professions and industries;

(f) a primary educations cess; and

(g) a tax in respect of Panchayat Samiti fairs and festivals held within the limits of its jurisdiction;

it will be intimated to the Tehsildar concerned, the Collector of the District concerned, Zila Parishad and Joint Development Commissioner.

4. *Inviting Objections.*—(1) The Panchayat Samiti shall issue a notice of the said resolution, for general information inviting objection to the imposition of such a tax or taxes.

(2) A copy of the above notice shall be affixed on the Notice Board of the Panchayat Samiti at its office, and copies of the same shall be forwarded to all the Panchayats falling within the jurisdiction of that Panchayat Samiti. The Panchayats shall also affix a copy of the said notice at their respective offices for general information.

5. *Period for objections.*—A period of not less than one month from the date such of notice shall be allowed for filing objections.

6. *Consideration of objections.*—After expiry of the period of notice, the Panchayat Samiti shall consider all the objections filed by any person or persons and shall thereafter if it is decided that the tax, or taxes be so levied, the Panchayat Samiti shall again pass a resolution for levying of the said tax or taxes, and, shall intimate to the Tehsildar concerned, Collector of the District concerned, Zila Parishad and the Joint Development Commissioner. "The Panchayat Samiti shall also issue a notice for general information specifying the necessary details of the tax or taxes so imposed."

7. *Taxes requiring prior sanctions of the Government.*—Whenever the imposition of a tax or taxes requires prior sanction of the Government under any order made under sub-section (2) of section 33 of the Act, the Panchayat shall send a copy of its resolution along with a summary of the objections received by it together with its comments thereupon, and a letter of request to the Government, through Joint Commissioner Development for sanction of such an imposition of a tax or taxes as the case may be.

After receipt of the above sanction, the Panchayat Samiti shall communicate the resolution along with a copy of sanction to the Tehsildar concerned, Collector of the District concerned and Zila Parishad concerned.

8. The maximum rate of tax in respect of Trades, Callings, Professions and Industries shall be as, prescribed in Schedule 'A'.

### CHAPTER III

#### Methods of Realisation

9. *Intimation to Patwari*—The Tehsildar on receipt of a resolution under Rule 6 or 7 for imposition of a tax or taxes shall intimate it to the Patwaris concerned to enter it in their order-book and to take such action as thereafter provided, for the realisation of the said tax or taxes.

10. *Due dates of Taxes*—(1) The tax on rent and rental value as provided in clauses (a), (b) and (c) of sub-rule (2) of rule 3, shall become due on the dates on which the land revenue falls due.

(2) The Tax on trades, callings, professions and industries shall be realised half yearly in two equal instalments and shall fall due on 1st May and 1st December every year.

(3) The primary education cess shall be realised annually and shall fall due on 1st of December every year.

11. *Mode of realisation.*—The tax or taxes so levied shall be realised in the same manner as land revenue and along with

it in case the assessee is an agriculturist paying land revenue in so far as the due dates of these taxes do not differ.

**12. Preparation of Demand and conducting of census of assesseees.**—(1) The Patwari shall prepare a Demand in Form I and before preparing the Demand (assessment of Taxes), a census of all the persons, companies, corporations, factories and other concerns including societies affected by the tax on trades, callings, professions and industries and of families for the primary education cess shall be conducted by the Patwari within his jurisdiction in the month of September every year.

(2) (a) Before conducting the census as mentioned in the sub-rule above, the Patwari, in consultation with the Sarpanch of the Panchayat shall draw a programme and notify it by affixing a copy of it at a conspicuous place in the villages or area of which he proposes to conduct the census.

(b) The Patwari shall furnish a copy of the aforesaid programme to the Sarpanch of the Panchayat concerned requesting him to supervise the census.

(c) The Sarpanch shall supervise such census personally as far as possible. In case of his inability to do so he may nominate a Panch of the Panchayat.

Provided that if the Sarpanch or a Panch authorised by the Sarpanch does not supervise such census, the Patwari himself will do the same.

(d) When the census is over, the Sarpanch shall verify it that it is complete and correct.

Provided that if the Sarpanch does not verify the census within 15 days, then the census prepared by the Patwari shall be treated to have been done as required by this rule.

**13. Approval of assessment by Tehsildars.**—The Tehsildar after the demand (Assessment of taxes) has been prepared by the Patwari, shall check it and make corrections, if any, and shall forward a copy thereof, to the Patwari or Collection Amin as the case may be. The Patwari/Collection Amin shall thereafter in consonance with the approved demand, serve provisional demand slips on the parties concerned and send the counterfoils thereof bearing acknowledgement of the parties, concerned to the Tehsildar.

**14. Finalisation of assessment.**—(1) Any person to whom a provisional demand slip has been issued under rule 13 may within 15 days of its receipt apply to the Tehsildar for correction, amendment or cancellation of the Demand (assessment of tax).

(2) When an application under sub-rule (1) is received, the Tehsildar shall—

- (a) re-examine the provisional demand and if he is satisfied that it requires to be corrected, amended or cancelled as indicated in the application he may pass orders accordingly and inform the Patwari or the Collection Amin as the case may be, or
- (b) issue a notice to the petitioner to appear before him on a date and time specified therein and so produce all relevant evidence which he may like to produce in support of his objection. After giving an opportunity of hearing to the applicant and making such further enquiry as he may deem fit, The Tehsildar shall finally assess the tax payable by the applicant and communicate the same to the Patwari or the Collection Amin, as the case may be, with an order of realisation. Where no objection is filed within 15 days of the Service of the provisional demand slips, the Tehsildar shall issue orders of realisation in regard to them. A copy of this final assessment shall be sent to the Panchayat Samiti for its information.

(3) Subject to the provisions of Rule 36, the demand shall be final and be valid for subsequent years unless otherwise revised by the Tehsildar.

**15. Supplementary Demand.**—If for some reasons, a piece of land is not discovered to be in possession of a particular assessee and he is not charged land revenue in the demand slip, but if later on it is discovered that the assessee is liable to pay land revenue and a supplementary demand is made, in that case the tax leviable under these Rules will also be assessed on the supplementary land revenue demand payable both in case of the cultivator in use or occupation of the agricultural land and of the land holder to whom the rent is payable.

**16. Levy of Primary Education Cess.**—Primary Education Cess when levied shall be payable by every family:—

**Explanation**—A Joint Hindu family shall be considered as one family.

**17. Period of paying the tax.**—The tax shall be paid within one month of the receipt of the demand slip.

**18. x x x**

**19. Realisation of arrears.**—In case of a defaulter who has not paid the tax within one month from the date of receipt of demand slip for the same, the arrears shall be realised as arrears of land revenue by the Tehsildar.

## CHAPTER IV

## Maintenance of Accounts

20. *Issue of receipt*—The Patwari/Collection Amin shall issue a receipt for the payment of such taxes in Form VII.

21. *Maintenance of Siyaha*.—The tax or taxes realised shall be entered in the Siyaha Form III maintained by the Patwari/Collection Amin, as the case may be, and the recovery of such a tax or taxes will be sent to the Treasury every fortnight, along with the other recoveries for deposit to be credited to the personal Deposit Account of the Panchayat Samiti concerned.

22. *Arzirsal*—The amount of tax so remitted shall be entered in Arzirsal.

23. *Monthly abstract statement*.—(1) The Patwari/Collection Amin shall maintain a regular account of the realisation of such taxes in Form V and shall furnish a monthly abstract statement in Form VI to the Tehsildar, of the total realisation, balances and the arrears.

(2) The Tehsildar in turn shall forward a copy of such statement to the Panchayat Samiti concerned, and to the District Development officer concerned every 10th of the next month.

(3) The District Development Officer shall furnish a statement showing the demand and collection against it, every six months to the Secretary to the Government in the Panchayat and Development Department.

24. 'x x

## CHAPTER V

## Miscellaneous

25. *Declaration of fair boundary*.—The Panchayat Samiti may declare the boundaries of a Panchayat Samitis fairs and festivals by a notification on the notice board of the office of the Panchayat Samiti and at a conspicuous place in the area so demarcated.

26. *Fraining of bye-laws*.—The Panchayat Samiti may frame bye laws, not inconsistent with the Act and these rules, to regulate the fairs and festivals and the realisation of tax within its jurisdiction.

27. *Designating and officer as Mela Officer*.—The Panchayat Samiti may designate any officer under its jurisdiction as a Mela Officer.



28. *Rate of Rawana fee*.—If any cattle fair is held with in the area of the Panchayat Samiti with the permission of the Government, the latter shall fix the maximum rate of Rawana fee.

29. *Rawana*.—When a cattle fair referred to in Rule 28 is held a purchaser of cattle therein shall obtain a Rawana in Form VIII, after payment of the Rawana fee.

30. *Necessity of Rawana*.—No purchaser shall take his cattle out of the Fair area unless he has obtained a Rawana.

31. *Penalty for not having a Rawana*.—If any purchaser is found taking his cattle out of the Fair area without a Rawana he shall be liable to pay a fine not exceeding Rs. 25/- at the discretion of the Mela Officer.

32. *Check Post*.—The Panchayat Samiti may establish check posts for entry and exit of cattle.

33. *Entry pass*.—If check posts are established, every owner of the cattle shall obtain an entry pass in Form IX from the check post if he enters the fair area after the date of the establishment of check post and from the Mela Officer if he has entered the area earlier.

34. *Registration of sale*.—All sales carried in the Mela shall be registered in Form X and the purchaser will be issued a copy thereof on payment of such charge as fixed by the Panchayat Samiti.

35. *Production of a copy of registration form necessary for Rawana*.—No Rawana shall be issued unless a copy of the Registration referred to above in rule 34 is produced.

## CHAPTER VI

### Appeal, Refund and Checking

36. *Appeals*.—An appeal against all orders of assessment by the Tehsildar shall lie to the Deputy District Development Officer within sixty days from the date of receipt of the demand slip :

Provided that no appeal shall be heard if the tax has not been deposited.

37. *Refund*.—If an appeal is accepted, the tax so realised from the appellant shall be refunded by the Panchayat Samiti in accordance with the terms of the order.

38. *Checking*.—The Tehsildars shall check all registers and accounts maintained under these rules.

## Schedule A

	Maximum rate per annum Rs.
1. (a) Barristers, Advocates, Government Pleaders, having private practice ....	60
(b) Pleaders ( including Ist Class Pleaders )	30
(c) Attorneys, Solicitors ....	30
2. Owners of mills, ware-houses, printing presses, oil- presses, cotton presses, other presses ....	200
3. Carrying on business as a company ....	100
4. Bankers, money—lenders, money—changers, pawn—brokers, abkari renters ....	200
5. Wholesale and retail traders, auctioneers, manufac- turers, contractors, owners of ships and beats, com- mission agents ....	100
6. Brokers, dealers in securities, shares or bills of exchange ....	50
7. (a) Clinics, nursing homes, private hospitals ....	60
(b) Private practitioners, Unani Hakims, Vaidays, Homeopaths ....	30
8. Architects, Civil Engineers ....	60
9. Owners and farmers of markets, toll farmers ....	24
10. Keepers of hotels, lodging houses, boarding houses, billiard saloons ....	100
11. Editors, proprietor, news papers ....	50
12. Professional artists, photographers, actors, dan- cers, musicians ....	24
13. Owners or managers of cinemas or theatres ....	200
14. Dealers in animals or vehicles, owners of stables, hackney carriages ....	12
15. Artisans ....	10
16. Dentists, veterinary surgeons, workshops ....	30
17. Masons, surveyors ....	12

(See Rule 12)

P. S. &amp; Z. P. Rules

Demand Village.....Panchayat Samiti.....Tehsil.....District .....Rajasthan

Serial No.	Name of Estate Holder (Jagirdar, Sub-Jagirdar, Malguzari or Zamindar), tenant and tax payer	DEMAND					COLLECTION					ARREARS					Remarks
		ARREARS CURRENT TAX					Deduction if any	Net amount after deduction.	No. and date of entry in Siyaha	Arrears	Current tax	Total Collections	Past arrears	Current tax	Total arrears		
		Year with details of item	Name of tax with rate	Amount	Details with rate	Amount											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16		

Signature of the Patwari

Approved for Rs.....

Tehsildar.....

FORM No. II  
(See Rule 14)

Demand Slip Village.....Panchayat Samiti ..  
Tehsil..... District.... Rajasthan for  
the year.....

( FOIL )

FORM No. II  
(See Rule 14)

Demand Slip Village.....Panchayat Samiti... ..  
Tehsil.....District.....Rajasthan for  
the year.....

( COUNTER FOIL )

DEMAND					
Name of demand	Name of estate holder tenant or tax payer	Amount	Arrears with details	Total amount	Signature of the patwari with date of issue
1	2	3	4	5	6

FORM No. III

[ See Rule 20 ]

Siyaha Village..... Panchayat Samiti ..... Tehsil ..... District..... Rajasthan  
 for the year .....

COLLECTIONS				DETAILS OF REMITTANCE IN TEHSIL TREASURY										
S. No.	Date of remittance with No. of receipt issued	No. of demand	Name of depositor	Arrears	Tax		No. of Arreases	Total	Tax				Signature	Remarks
					Amount	for current year of half year			demand for the current year of half year	demand for the current year of half year	10	11		
1	2	3	4	5	6	7	8	9	10	11	12	13		

## FORM No IV

(See Rule 21)

Arz Irsal (Triplicate)

Village.....P.S.....Tehsil.....

District .. .. .

Year ... .. .

1. Name of Head

Kind of Demand	AMOUNT		Total
	Arrears	Current	

Total Amount.....

2. Name of depositor with signature

3. Signature of Patwari/Collection Amin with the date of despatch

## FROM No IV

(See Rule 21)

Arz Irsal (Duplicate)

Village.... P.S.....Tehsil.....

District .. .. .

Year .. .. .

1. Name of Head

Kind of Demand	AMOUNT		Total
	Arrears	Current	

Total Amount.....

2. Name of depositor with signature

3. Signature of Patwari/Collection Amin with the date of despatch

## FROM No. IV

(See Rule 21)

Arz Irsal (Counter foil)

Village.....P.S.....Tehsil.....

District .. .. .

Year .. .. .

1. Name of Head

Kind of Demand	AMOUNT		Total
	Arrears	Current	

Total Amount.....

2. Name of depositor with signature

3. Signature of Patwari/Collection Amin with the date of despatch

## Register of Daily Collections of dues

Date	S. No.	Village	Name of payer with percentage	S. No of the list of demand or (cash book)	S. No of the Book and S.N o. of receipt	NAME OF DUES									Total	Remarks
						3(a)	3(b)	3(c)	3(d)	3(e)	3(f)	3(g)	3(h)	3(i)		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

Day's total

Progressive total upto the end of preceding day.

Progressive total upto date.

## FORM No. VI

[ See Rule 23 (1) ]

The abstract of total realisation, balances and the arrears for the Village.... ..Planning within Panchayat Samiti.... .... for the Month.... .. Year .....

Name of village	Total receipts at end of preceding month		Total receipts during the Current month (sum of Col.3&4)		Total receipt		Balance
	Arrear/Current	Arrear/Current	Arrear/Current	Arrear/Current	Arrear/Current	Arrear/Current	
1	2	3	4	5	6	7	8

FORM No. VII

(See Rule 20)

(Triplicate)

FORM No VII

(See Rule 20)

(Duplicate)

FORM No. VII

(See Rule 20)

(Counter Foil)

Receipt  
Book No ..... S. No .....  
Village ..... Panchayat Samiti...  
Tehsil ..... District .....  
Name of Depositor .....  
On behalf of .....  
Tax ..... Year/Half Year.....

Receipt.  
Book No.....S. No.....  
Village ..... Panchayat Samiti...  
Tehsil.... District.....  
Name of Depositor .....  
On behalf of .....  
Tax ..... Year/Half Year .....

Receipt.  
Book No.....S. No.....  
Village..... Panchayat Samiti ...  
Tehsil..... District.....  
Name of Depositor ....  
On behalf of .....  
Tax .. ..... Year/Half Year .....

Amount  
received.  
with  
details  
Signature  
of person  
received  
the amount

No. of entry in Siyaha  
Date of receipt  
No. of entry in Siyaha  
Amount  
Item  
No of Demand

No. of entry in Siyaha  
Date of receipt  
No. of entry in Siyaha  
Amount  
Item  
No of Demand

No. of entry in Siyaha  
Date of receipt  
No. of entry in Siyaha  
Amount  
Item  
No of Demand

1

2

3

4

5

6

1

2

3

4

5

6

1

2

3

4

5

6

Signature of

Patwari/Amin

Signature of

Patwari/Amin

Acknowledgement of

Signature of

Patwari/Amin

receipt



# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (CONDUCT OF BUSINESS) RULES, 1960

[Notification No F. PS/Rules/60/AA 72643-45, dated 28-11 1960, published in the Rajasthan Gazette, Part IV-C, dated 8-12-1960].

In exercise of the powers conferred by sub-sec (1) of sec. 79 read with secs. 22 and 52 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959) and in supersession of the previous rules on the subject, the State Government, hereby makes the following rules namely—

1. *Short title and commencement.*—(1) These rules shall be called the Rajasthan Panchayat Samitis and Zila Parishads (Conduct of Business) Rules, 1960.

(2) These Rules shall come into force from the date of their publication in the official Gazette.

2. *Definitions.*—In these rules, unless the context otherwise requires—

(1) “Act” means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959.

(2) “Clear Days” includes Sundays and holidays but does not include the day of the meeting and day of the receipt of notice.

(3) “Meeting” means a meeting of Panchayat Samiti/Zila Parishad.

(4) “Motion” means a proposal made by a member for the consideration of a Panchayat Samiti/Zila Parishad and includes a resolution and an amendment to a motion.

(5) “Secretary” means the Secretary of the Zila Parishad appointed by the State Government.

(6) “Temporary Pradhan” means a person elected by the members of a Panchayat Samiti in the prescribed manner under sub-sec. (6) of sec. 25 of the Act.

(7) “Temporary Pramukh” means a person elected by the members of a Zila Parishad in the prescribed manner under sub-sec. (6) of sec. 58 of the Act.

(8) Words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

3. *Meetings of Panchayat Samitis/Zila Parishads.*—(1) Every Panchayat Samiti shall meet at least once in every quarter.

(2) Every Zila Parishad may meet as often as may be necessary provided that not more than three months shall lapse between one meeting of the Zila Parishad and another.

4. *Notice of meeting.*—(1) No meeting shall be held unless notice of the place, date and time of the meeting and of the business to be transacted thereat is given at least seven clear days before the date of the meeting.

(2) In case of urgency the Pradhan or Pramukh may convene a meeting by giving shorter notice than that specified in sub-rule (1) but in no case the period of notice shall be less than 48 hours.

(3) The notice shall be sent by post or by such other mode as the Vikas Adhikari/Secretary may consider expedient to every member of the Panchayat Samiti/Zila Parishad at his ordinary place of residence.

5. *Agenda for a meeting.*—The Agenda for a meeting shall be prepared by the Vikas Adhikari/Secretary. The Vikas Adhikari/Secretary may include in the agenda any subject which in his opinion should be considered by the Panchayat Samiti/Zila Parishad and shall include therein any subject specified by the Pradhan/Pramukh.

Resolutions by the members shall also be included in the Agenda provided that the Pradhan/Pramukh may disallow any resolution which in his opinion, contravenes the provisions of the Act or the Rules made thereunder and his decision shall be final.

6. *Special meeting of Panchayat Samiti/Zila Parishad.*—The Pradhan/Pramukh shall call for a special meeting on receiving a request in writing signed by not less than one-third of the total number of the members of the Panchayat Samiti/Zila Parishad specifying the resolution which is proposed to be moved.

7. *Pradhan/Pramukh, Up-Pradhan/Up-Pramukh, etc., to preside over meetings.*—Every meeting shall be presided over by the Pradhan/Pramukh and in his absence by the Up-Pradhan/Up-Pramukh and in his absence of both the Pradhan and Up-Pradhan/Pramukh and the Up-Pramukh by a temporary Pradhan/temporary Pramukh and in his absence of all such persons by a member chosen by the members present at the meeting.

8. *Meeting open to public.*—All the meetings of the Panchayat Samiti/Zila Parishads shall be open to the public, provided the presiding member may, in any particular case, direct

that the public generally or any particular person shall withdraw.

9. *Quorum for meeting.*—No business be transacted at a meeting unless there be present at least one-third of the total number of members then on the roll of the panchayat Samiti/Zila Parishad.

10. *Adjournment of a meeting for want of quorum.*—If, within an hour after the time appointed for a meeting the quorum is not present, the meeting shall stand adjourned, unless all members present agree to wait longer.

11. *The decision of a question by majority of votes.*—All questions which may come before the Panchayat Samiti/Zila Parishad at any meeting shall be decided by a majority of the members present and voting at the meeting and in case of equality of votes the presiding member shall have and exercise a second or casting vote.

12. *The mode of putting the question to vote.*—When a question is put to vote the presiding member shall call for a show of hands and he shall count the hands shown for or against and declare the result.

13. *Limitations on modification or cancellation of decisions within three months of their taking.*—No decision of a Panchayat Samiti/Zila Parishad shall be modified or canceled within three months after the taking thereof except at a meeting specifically convened in that behalf and by a resolution of the Panchayat Samiti/Zila Parishad supported by not less than one-half of the total number of members then on the roll of the Panchayat Samiti/Zila Parishad.

14. *Minutes of the proceedings of the meeting to be in Hindi and submission of their copies to Government.*—(1) The proceedings of a Panchayat Samiti/Zila Parishad shall be in Hindi. Minutes of the proceedings at every meeting shall be recorded by the Vikas Adhikari/Secretary under his signature in a book to be kept for the purpose. These minutes will be read over at the next meeting and when confirmed shall be signed by the presiding member. In recording the minutes, the names of the members present will be mentioned in the beginning.

It shall be the duty of the Vikas Adhikari/Secretary to record in the proceedings the fact that he had tendered advice to the Panchayat Samiti/Zila Parishad bringing out the provisions of the Act or the rules and the Panchayat Samiti/Zila Parishad had taken a decision to the contrary in the matter.

(2) The Secretary shall forward a copy of the proceedings of each meeting of the Zila Parishads to the Government within 7 days of each meeting. The Vikas Adhikari shall forward a copy of the minutes of the proceedings of each meeting of the Panchayat Samiti to the Government, the Zila Parishad, and the District Development Officer (Collector). He may also if necessary forward relevant extract of such minutes to that District Level Officers of the Departments concerned.

15. *Certain restrictions on speaking.*—(1) A member while speaking shall not: —

- (i) comment in any matter on which a judicial decision is pending.
- (ii) make a personal charge against a member.
- (iii) use offensive expressions about the conduct of proceedings of the Parliament, or of the Legislature of any State, or any other Panchayat Samiti or Zila Parishad,
- (iv) utter defamatory words, or
- (v) use his right of speech for the purpose of obstructing the business of the Panchayat Samiti/Zila Parishad.

(2) No member shall speak more than once on a motion except the member who has the right of reply.

16. *Duration of speeches.*—The presiding member shall regulate the duration of speeches in his own discretion.

17. *Procedure when a member has a pecuniary interest in the subject under consideration of meeting.*—(1) No member shall vote on, or take part in the discussion on any subject coming up for consideration at a meeting of the Panchayat Samiti/Zila Parishad, if the subject is one, in which, apart from its general application to the public, he has any direct or indirect pecuniary interest by himself or as partner.

(2) The presiding member may prohibit any member from voting on or taking part in the discussion of any subject in which he believes such member to have such pecuniary interest or he may require such member to absent himself during the discussion.

(3) Such member may challenge the decision of the presiding member who shall thereupon put the question to the meeting and the decision of the meeting shall be final.

(4) If the presiding member is believed by any member present at the meeting to have any such pecuniary interest in any subject under discussion, the presiding member may, if a motion to that effect is carried, be required to absent himself from the meeting during such discussion.

(5) The member concerned shall not be entitled to vote on the question referred to in sub-rule (3) and the presiding member shall not be entitled to vote on the motion referred to in sub-rule (4).

18. *Order of the day*.—A list of business for the day shall be prepared by the presiding members, provided that matters relating to (a) Co-option of members of the Panchayat Samiti/Zila Parishads, in the case of casual vacancies and (b) election and Co-option of members to Standing Committee shall be given priority over all other matters placed on the list of the business for the day.

19. *Urgent resolutions*.—(1) No business not included in the list of business for the day, shall be transacted at any sitting except in the form of a motion and without the leave of the Panchayat Samiti/Zila Parishad.

(2) The member making such a motion must hand over to the presiding member a written statement containing the motion before the meeting commences but he shall not speak thereon.

(3) The debate on such a motion shall automatically terminate that day.

20. *Withdrawal of a member*.—The presiding member may direct any member, whose conduct, is, in his opinion, grossly disorderly, to withdraw immediately from the meeting and any member so ordered to withdraw shall do so forthwith and absent himself during the remainder of the day's sitting.

21. *Suspension of a sitting*.—The presiding member may, in case of grave disorder arising in the meeting of the Panchayat Samiti/Zila parishad suspend any sitting for a time to be named by him

22. *Maintenance of Order*.—The presiding member shall preserve order and shall have all powers necessary for the purpose of enforcing his decisions.

23. *Custody of the proceedings and records of the Panchayat Samiti/ Zila Parishad*.—The Vikas Adhikari/Secretary shall have the custody of the proceedings and records of the Panchayat Samiti/Zila Parishad.

24. *Member's right to obtain information and of access to the records*.—A member shall have the right to obtain information on any matter pertaining to the administration and of access to the records of the Panchayat Samiti/Zila Parishad during office hours after giving due notice to the Vikas Adhikari/Secretary may with the approval of the Pradhan/Pramukh, and for reasons to be recorded in writing, refuse to give any particular information or access to any particular records.

# The Raj. Panchayat Samitis (Administrative Powers) Rules, 1960

[ Notification No. F. (Coord)/Rules/DD/60 71287- dated 14-4-1960. published in Rajasthan Gazette, Ordinary, Part IV-C, dated 19-5-1960. ]

In exercise of the powers conferred by Sub-Section (1) of section 79 read with clause (d) of sub-section (1) of section 25 and clause (0) of Sub-sec. (1) of section 27 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959) the State Government hereby makes the following rules, namely:—

## RULES

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Panchayat Samitis (Administrative Powers) Rules, 1960.

(2) They shall come into force on and from the date of there publication in the Official Gazette.

2. *Definition*—In these rules, the expression “Member of the Service” means such member of the Rajasthan Panchayat Samitis and Zila Parishads service as is, for the time being, serving under a Panchayat Samiti.

3. *Instructions by the Pradhan to the Vikas Adhikari.*—The Pradhan may, after every meeting of the Panchayat Samiti give such instructions to the Vikas Adhikari regarding implementation of the decisions and resolutions of the Panchayat Samiti, as may be considered necessary to ensure speedy implementation of such decisions and resolutions.

4. *Decisions of Committees of Which the Pradhan is not member.*—The Vikas Adhikari shall inform the Pradhan of the decisions and resolutions of the standing committee of which he is not a member, as soon as possible, so that he could give instruction regarding speedy implementation of such decisions and resolutions,

5. *Report on implementation.*—Vikas Adhikari shall submit to the Pradhan a report on the progress of the implementation of the decisions and resolutions of the Panchayat Samiti and the standing committees thereof, before the next meeting of the Panchayat Samiti and the standing committees, as the case may be so that the Pradhan may place it before the Panchayat Samiti.

6. *Casual Leave*.—Casual leave to the Vikas Adhikari shall be sanctioned by the Pradhan and casual leave to all other officers and servants of the Panchayat Samiti including the staff borne on the establishment of the Panchayat Samiti and the staff working in institutions and schemes transferred by the State Government by the Vikas Adhikari.

7. *Tours*.—Tour programmes of all officers and servants of the Panchayat Samiti including the staff borne on the establishment of Panchayat Samiti and the staff working in institutions and schemes transferred by the State Government to the Panchayat Samiti, shall be approved by the Vikas Adhikari and their T A. bills shall be countersigned by him.

8. *Other Leave*.—Leave of all kind except special disability leave and leave for going outside India to any member of the Service will be sanctioned by the Vikas Adhikari.

9. *Transfers*.—Transfer of any member of the Service within the area of the Panchayat Samiti may be made by the Vikas Adhikari.

# THE RAJ. ZILA PARISHADS (CONDUCT OF BUSINESS OF SUB-COMMITTEES) RULES, 1960

(Notification No. F. 45 (137)/Co-ord./DD/59, dated 24-2-60, published in the Rajasthan Gazette, Extraordinary, Part IV-C, dated 3-3-60.)

In exercise of the powers conferred by sub-section (1) of section 79 read with section 52 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following rules, namely :—

1. *Short Title and Commencement.*—(1) These rules may be called the Rajasthan Zila Parishads (Conduct of Business of Sub-Committees) Rules, 1960.

(2) These rules shall come into force from the date of their publication in the official Gazette.

2. *Definitions.*—In these rules unless the context otherwise requires—

(1) "Chairman" means the Chairman of a Sub-Committee.

(2) "Meeting" means a meeting of a Sub-Committee.

(3) "Member" means a member of a Sub-Committee.

(4) "Presiding Member" means the Chairman or any other member who is chosen to preside over a meeting.

(5) "Pramukh" means the Prámukh of a Zila Parishad.

(6) "Sub-Committee" means the Sub-Committee of Zila Parishad constituted under section 50 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959.

(7) "State Government" means the Government of Rajasthan.

8. "Up-Pramukh" means the Up-Pramukh of Zila Parishad.

(9) "Secretary of the Zila Parishad" means the officer appointed with that designation by the State Government for a Zila Parishad.

3. *Meeting of Sub-Committees.*—Each Sub-Committee shall meet at least once every month at the Zila Parishad Office on such day and at such hour as the Committee shall from time to time determine.



4. *Meeting to be convened on requisition signed by three members.*—The Chairman of a Sub-Committee may at any time call a meeting of the Sub-Committee and shall do so within a week of the receipt of a requisition stating business to be transacted signed by three members of a Sub-Committee.

5. *Quorum for meetings.*—No business shall be transacted at any meeting of Sub-Committee unless there is a quorum of four in the case of Sub-Committee of seven members and three in case of Sub-Committee of less than seven members.

6. *Decision of a question by majority of votes.*—All questions which may come up before the Sub-Committee at any meeting shall be decided by the majority of the members present at the meeting and in case of equality of votes, the presiding member shall have and exercise a second or casting vote.

7. *Chairman etc. to preside over the meetings.*—Every meeting shall be presided over by the Chairman and in his absence by a member chosen by the members present at the meeting.

8. *Minutes of the meeting.*—(1) All minutes of the proceedings of a meeting or a joint meeting shall be entered in a book and shall be signed by the presiding member after a meeting or a joint meeting.

9. *Withholding of action on conflicting resolutions of Sub-Committee.*—In any case in which two or more Sub Committees have passed conflicting decisions and such conflict has not been resolved by a joint meeting of such Sub-Committee the Secretary of Zila Parishad shall place the matter before the Zila Parishad and pending its resolutions, he shall withhold all action in regard to the matter at issue.

10. *Applications of the Rajasthan Panchayat Samitis and Zila Parishads (Conduct of Business) Rules, 1960.*—Subject to the provisions contained in the foregoing rules the provisions contained in the Rajasthan Panchayat Samitis and Zila Parishads (Conduct of Business) Rules, 1960 shall so far as may be apply mutatis mutandis to the conduct of business of a Sub-Committee.

11. *Custody of records of a Sub-Committee.*—The Secretary shall have the custody of the records of his Sub-Committee.

# The Raj. Panchayat Samitis [Jurisdiction Over Municipal Areas] Rules, 1960

[Notification No F. Co-ord./Rules/DD/60, dated 20-4-60, published in Rajasthan Gazette, Part IV-C, Ordinary, dated 14-7-1960.]

In exercise of the powers conferred by sub-section (1) of section 79 read with section 92 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (37 of 1959), the State Government hereby makes the following rules, namely—

1. *Short title & commencement.*—(1) These rules may be called the Rajasthan Panchayat Samitis (Jurisdiction over Municipal areas) Rules, 1960.

(2) They shall come into force on and from the date of their publication in the official Gazette.

2. *Jurisdiction over Municipal areas.*—A Panchayat Samiti shall have jurisdiction in such area of the block for which it is constituted as lies within a municipality for the following purposes, namely—

## 1. *Agriculture*

- (i) Maintenance of seed multiplication farms assistance to register seed growers and distribution of seed.
- (ii) Fruit and vegetable development.
- (iii) Popularisation of manures and fertilisers and their distribution.
- (iv) Promotion of the use, purchase and manufacture of improved agricultural implements & their distribution.
- (v) Credit facilities for the development of irrigation and agriculture.

## 2. *Animal Husbandry*

- (i) Dairying and milk supply and poultry development.

## 3. *Social Education*

- (i) Establishment of information, community and recreation centres, Museums.

## 4. *Cottage Industries*

- (i) Establishment and maintenance of Production-cum-training centres.

**THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS  
(PREPARATION OF CONFIDENTIAL REPORTS OF  
VIKAS ADHIKARIES & SECRETARIES)  
RULES, 1960**

Notification No. F3(113) DD/57/A/98923-9529 dated, 30-8-1960, published in Rajasthan Gazette, Part IV-C, Ordinary dated 15-9-1960.]

In exercise of the powers conferred by sub-section (3) of section 25, sub-section (3) of section 58, section 91 and sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following rules, namely :—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads (Preparation of Confidential Reports of Vikas Adhikaries & Secretaries) Rules, 1960.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Definitions.*—In these rules unless the context otherwise requires—

(a) 'Act' means the Rajasthan Panchayat Samitis & Zila Parishads Act, 1959 (Act No. 37 of 1959).

(b) 'Section' means a section of the Act.

(c) Words and expressions used but not defined in these rules shall have the meaning assigned to them in the Act.

3. *Preparation of Confidential Reports.*—The Pradhan or the Pramukh shall at the end of every year send a report as to the work of the Vikas Adhikari/Secretary of the Zila Parishad, as the case may be, during the year to the District Development Officer. The District Development Officer shall prepare report on the Vikas Adhikari/Secretary, Zila Parishad and send it along with report received by him from Pradhan/Pramukh to the Joint Development Commissioner, through the Divisional Commissioner. The Joint Development Commissioner shall send it to the Secretary to Government, Panchayat & Development Department, who shall forward the same in case of junior I.A.S. and R.A.S. officers to the Chief Secretary to Government of Rajasthan and of others appointing authorities.

Provided that the confidential reports of the Vikas Adhikaries/Secretaries, Zila Parishads for the first three quarters of the years, 1959 shall be prepared by the concerned District Development Officers as heretofore.

# The Rajasthan Panchayat Samitis & Zila Parishads (Selection Commission Conditions of Service) Rules, 1960

(Notification No. F. 23(2)Appts. (A)/60 dated 6-12-1960, published in Rajasthan Gazette, Part IV-C, Ordinary dated 19-1-1961.)

In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959, (37 of 1959), read with sub-section (6) of section 86 thereof, the State Government hereby makes the following rules namely:—

## CHAPTER I

1. *Short title*.—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads (Selection Commission Conditions of Service) Rules, 1960.

2. *Definitions*.—In these rules, unless the subject or context otherwise requires—

(a) “Act” means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959;

(b) “Chairman” means the Chairman of the commission nominated under sub-section (7) of section 86 of the Act;

(c) “Commission” means the Selection Commission constituted under sub-section (6) of section 86 of the Act.

(d) “Member” means a Member of the Commission appointed by the State Government under clause (i) of sub-section (6) of the Act.

## CHAPTER II

### PART 1

3. *Qualifications*.—(1) An officer of the State Government whether retired or in active Government service shall not be appointed a Member of the Commission, unless he has been or is an officer holding a rank not lower than that of a Collector or a Head of Department drawing a substantive pay of not less than Rs. 850/- p.m. and has attained the age of 50 years and has not attained the age of 60 years at the time of his appointment.

(2) A person other than a State Government servant (whether retired or in active Government Service) shall not be appointed as a Member of the Commission, unless he is at least a graduate and unless he is a person of status and known for

his integrity and has attained the age of 50 years and has not attained the age of 60 years at the time of his appointment.

4. *Tenure.*—(1) The chairman or a member shall hold office for a term not exceeding three years from the date on which he enters upon his office or until he attains the age of 60 years, whichever is earlier :

Provided that the period of office of the first Chairman shall be one year with effect from the 14th November, 1959.

(2) No Chairman or Member shall be re-appointed after expiry of the term of his appointment.

5. *Pay.*—(1) The pay of the Members of the Commission shall be determined as follows:—

(i) if the member is in active Government service he shall draw his grade pay and shall also draw a special pay of Rs. 150/- p.m.

(ii) if the member is a retired Government servant, he shall draw a salary of Rs. 850/-p.m. in addition to his pension, including such portion of it as may have been commuted.

*Explanation.*—“The pension shall include pensionary equivalent of death-cum-retirement gratuity.

(iii) if the Member is a person not covered by clause (i) and (ii) above, he shall draw a fixed salary of Rs. 1,000/- p.m.

(2) The pay of the Chairman shall be determined as follows:—

(i) if the Chairman is not a Government servant (whether retired or in active Government Service) he shall draw Rs. 1,200/- p.m.

(ii) if the Chairman is a person in active Government service he shall draw his substantive pay plus a special pay of Rs. 250/- p.m.

(iii) if the Chairman is a retired Government servant, or retires after appointment as Chairman, he shall draw a pay of Rs. 1,000/- p.m. in addition to his pension including such portion of it as may have been commuted.

*Explanation.*—“The pension shall include pensionary equivalent of death-cum-retirement gratuity.”

6. *Pay when a Member performs the duties of the Chairman.*—A member may be appointed by the State Government to perform the duties of the Chairman absent on leave or on the occurrence for any reason of a vacancy in the office of the

Chairman until a Chairman is nominated under sub-section (7) of section 86 of the Act and has entered upon the duties thereof. The member so appointed shall receive the salary of the Chairman prescribed in sub-rule (2) of rule 5 for the period for which he performs such duties provided such period exceeds one month at any one time.

## PART II

7. *Definition*.—"Member" for the purpose of this part includes the Chairman.

8. *Leave*.—(1) A member who at the time of his proceeding on leave is in the active Government service may be granted leave under the rules applicable to him and his services as Member shall count for earning such leave.

(2) A member who at the date of his proceeding on leave is not in the active Government service, may be granted leave as follows—

(a) Leave on leave salary equivalent to full pay upto one eleventh of the period spent on duty by him ;

(b) leave on medical certificate on leave salary equivalent to half pay, subject to a maximum of one month at any one time ;

(c) extraordinary leave without pay and allowance subject to a maximum of one month at any one time. ;

Explanation—(1) All or any two of the kinds of leave mentioned in sub-rule (2) may be granted in combination at a time.

(2) A member who at the date of his proceeding on leave has retired from service of the State Government shall, for the purpose of sub-rule (2) be treated as a Member, not in the active service of the State Government.

Rule 9 (i).—A non-official Member/Chairman shall be allowed a pension of Rs. 1,500/- p. a. if he has completed three years of service qualifying for pension as defined in the Rajas. than Service Rules.

(ii) In the case of the Member who at the date of his appointment to the Commission was in active Government service, the period of his service in the Commission shall, until he retires from such service, be counted for pension under the rules applicable to the service to which he belongs :

Provided that the Member who at the date of his appointment was in the active Government service and prior to such date had been admitted to the benefits of any provident fund maintained by the State Government shall be eligible after appointment to the Commission, to continue to subscribe to the

said fund upon the same terms and conditions and subject to the same rules as were applicable to him before such date.

This shall be effective from the date the Rajasthan Panchayat Samitis and Zila Parishads ( Selection Commission Conditions of Service ) Rules, 1960, came into force.

**10. Travelling Allowance.**—(1) A Member who is not in active Government Service is entitled when travelling on duty—

- (a) to a daily allowance at the rate of Rs. 10/- ( Rupees Ten only ) for each day on which he is absent on duty from his headquarters, and
- (b) (i) when travelling by Railway, to first class railway fare, and  
(ii) when travelling by road, to a mileage allowance at the rate of fifty Naye paisa per mile ;

Provided that a Member appointed after the first day of October, 1962, shall be entitled to such travelling allowance and daily allowance according to Rajasthan Travelling Allowance Rules as are admissible to Government servants drawing equivalent salary.

(2) A Member, if he is in active Government Service will draw travelling allowance according to the Rajasthan Travelling Allowance Rules for the time being applicable to him.

(3) A Member shall also be entitled to take a peon with him on tour.

(4) A Member shall have the option to undertake journey either by rail or by road.

**11. Medical Attendance**—The medical and surgical treatment to a Member and his family shall be provided as is available to a First Class Officer of the State Government under the Rajasthan Services ( Medical Attendance ) Rules, 1958.

**11-A. Disciplinary Action.**—The provisions of Rajasthan Civil Services ( Classification, Control and Appeal ) Rules, 1958, and Government servants' and Pensioner' Conduct Rules, so far as may be, shall be applicable to the Chairman and the Members of the Commission, and the Members and Chairman of the Commission shall be deemed to be members of 'The State Service' for the aforesaid purpose.

### CHAPTER III

**12. Staff.**—The staff of the Commission shall consist of a Secretary and such number of non-gazetted ministerial officials and class IV servants as the State Government from time to time determine.

13. *Secretary.*—The Secretary of the Commission shall be appointed by the State Government from persons encadred in a State Service and he shall receive such pay and allowances as the State Government may determine.

14. *Ministerial Establishment.*—(1) Appointment to the ministerial non-gazetted posts shall be made by the Secretary to the Commission subject to the approval of the Chairman.

(2) The ministerial establishment shall be subject to the same conditions of service as are for the time being applicable to the personnel of corresponding grades in the offices of Head of Departments.

(3) The authority who may impose on any officer belonging to such ministerial establishment any of the penalties prescribed in the Rajasthan Government Civil Services ( Classification, Control and Appeal ) Rules, 1958, shall be the Secretary and the appellate authority shall be the Chairman.

15. *Class IV Servants.*— (1) The Class IV servants shall be appointed by the Secretary and their pay, allowance and other conditions of service shall be the same as are for time being applicable to the personnel of corresponding grades in his offices of the Heads of Departments of the State Government.

(2) The authority who may impose on any such class IV servant, any of the penalties prescribed in the Rajasthan Government Civil Services (Classification, Control and Appeal) Rules, 1958, shall be the Secretary and the appellate authority shall be the Chairman.

## CHAPTER IV

16. *Rules not applicable to the Pramukh.*—Nothing in these rules shall apply to the Pramukh of the Zila Patishad of the District for which selection is made, who is a Member of the Commission under clauses (ii) of sub-section (6) of section 86 of the Act and he shall be governed in respect of any metter regarding performance of his duties as much Member, by such rules as are applicable to him.

17. *Interpretation.*—If any question or doubt arises as to the interpretation or any of the provisions of these rules of their applicability any decision of the State Government in respect thereof shall be final.



## THE RAJASTHAN PANCHAYAT & ZILA PARISHADS (REMOVAL OF DIFFICULTIES) ORDER, 1960

[Notification No. F. 4 (L & F) (Pts)/60, dated 14-6-60, published in Rajasthan Gazette, Part IV-C, Extraordinary, dated 15-9-60.]

Whereas difficulties has arisen in giving effect to the provisions of sections 11, 18 and 44 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959).

Now, therefore, in exercise of the power conferred by section 91 of the said Act, the Government of Rajasthan is pleased to make the following order, namely :—

(1) This order may be called the Rajasthan Panchayat Samitis and Zila Parishads (Removal of Difficulties) Order, 1960

(2) Notwithstanding anything contained in any provision of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), whenever the co-option of a member of a Panchayat Samiti under section 11 or of a Zila Parishad under section 44 of the said Act shall be declared by a competent authority to be invalid, such declaration shall be deemed to have caused a vacancy in the Panchayat Samiti or the Zila Parishad, as the case may be, irrespective of whether the co-option of all or a few only of such members might have been so declared as invalid and such vacancy shall be filled up—

(a) in the case of a Panchayat Samiti in accordance with section 11 of the said Act, and

(b) in the case of a Zila Parishad, in accordance with clause (iv) of sub-section (2) of section 46 of the said Act.

# RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (MOTION OF NO-CONFIDENCE IN PRADHN, UP-PRADHAN, PRAMUKH OR UP-PRAMUKH) RULES, 1961.

[Notification No. F. 116(50) P.S./Rules/DD/61, dated 8-10-1961 published in Rajasthan Gazette, Extraordinary, Part IV-C, dated 21-1-61.]

In exercise of the powers conferred by sub-sec. (1) sec. 79 read with secs. 39 and 49 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959) and in supersession of this Department Notification No. F. 45 (173) (108) (Co-ord.) DD/59, dated the 26th September, 1961, the State Government hereby makes the following Rules, namely:—

## RULES

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads (Motion of no-confidence in Pradhan, Up-Pradhan, Pramukh or Up-Pramukh) Rules, 1961.

(2) They shall come into force upon their publication in the official Gazette.

2. *Definitions.*—In these Rules, unless the subject or context otherwise requires—

- (1) 'Pradhan' means the Pradhan of a Panchayat Samiti.
- (2) 'Up-Pradhan' means the Up-Pradhan of a Panchayat Samiti.
- (3) 'Pramukh' means the Pramukh of a Zila Parishad.
- (4) 'Up-Pramukh' means the Up-Pramukh of a Zila Parishad.

3. *Motion of no-confidence in Pradhan, Up-Pradhan, Pramukh and Up-Pramukh.*—(1) A written notice of intention to make a motion expressing want of confidence in the Pradhan or Up-Pradhan or in the Pramukh or Up-pramukh shall be in form I to the Collector who shall give to the members notice of not less than fifteen clear days of such meeting in the following manner, namely:—

He shall send by post under certificate of posting not less than 15 clear days before the date of the meeting a notice of

such meeting, and of the date and the time appointed therefor, in form II to every member of the Panchayat Samiti or the Zila Parishad, as the case may be, at his ordinary place of residence and shall at the same time cause such notice to be published by affixing a copy of it on the Notice Board of the Panchayat Samiti or Zila Parishad, as the case may be, at its office:

Provided that in case of such place where there is no post office or where the service of the notice cannot be effected expeditiously, such notice may be served through the Tehsil concerned.

Provided further that in case of subsequent motion of no-confidence against Pradhan/Pramukh, a written notice as provided in rule 3(1) shall be given to all the members of the electoral college for the election of Pradhan/Pramukh.

### FORM I

(See Rule 3)

Form of the written Notice of intention to make a motion expressing want of confidence.

In the Pradhan/Up-Pradhan

of a Panchayat Samiti

Pramukh/Up-Pramukh

Zila Parishad

To

The Collector

.....

.....

### NOTICE

Sir,

We, the undersigned members of the ..... Panchayat Samiti/Zila Parishad\* hereby give this notice to you of our intention to make a motion of no-confidence in Shri ....., the Pradhan/Up-Pradhan/Pramukh/Up-Pramukh\* of our Panchayat Samiti/Zila Parishad\* and also annex hereto a copy of the proposed motion of no-confidence.

Yours faithfully,

Place.....

Date.....

\*Delete whichever is not necessary.

### FORM II

(See Rule 4)

Form of the notice of a meeting of the Panchayat Samiti/Zila Parishad Electoral College, to be held for consideration of

the no-confidence motion against the Pradhan/Up-Pradhan/  
Pramukh/Up-Pramukh\*.

To

Shri ..... ..

Member of ..... Panchayat  
Samiti/Zila Parishad\*, Electorl College.

### NOTICE

This notice is hereby given to you of the meeting of.... ..  
..... Panchayat Samiti/Zila Parishad\* Electoral College which  
shall be held at the office of the said Panchayat Samiti/Zila  
Parishad\* on.....(date) at..... .. (time) for consideration of  
motion of no-confidence which has been made against Shri.....  
the Pradhan/Up-Pradhan/Pramukh/Up-Pramukh\* of the said  
Panchayat Samiti/Zila Parishad‡, Electrol College.

A copy of the motion is annexed hereto.

Collector... ..

Place.....

Date,.....

---

‡Delete whichever is not necessary.

# RAJ. PANCHAYAT SAMITIS (PAYMENT OF ALLOWANCE TO MEMBERS) RULES, 1961

[Notification No. 185(73) DD/60-61/Accts/A 95829-96415, Dt. 17-10-61, published in Raj. Rajpatra, Part IV-C, dated 14-12-61].

In exercise of the powers conferred by Sub-Sec. (i) of Sec. 79 read with Sec. 32 of the Rajasthan Panchayat Samitis & Zila Parishads Act, 1959 (Act No. 37 of 1959) and in supersession of this Department notification No. F. 45 (173) (219) Co-ord/DD/59, dated October 26, 1959 the State Government hereby makes the following rules, namely:—

1. *Short title and commencement.*—(i) These rules may be called the Rajasthan Panchayat Samitis (Payment of allowance to members) Rules, 1961.

(ii) They shall come into force from the date of their publication in the official Gazette.

2. *Definitions.*—In these rules unless the context otherwise requires.—

(i) “Act” means Rajasthan Panchayat Samitis & Zila Parishads Act, 1959 (Act No. 37 of 1959).

(ii) “Day” means the calendar day beginning and ending at midnight but an absence from head quarters which does not exceed 24 hours shall be reckoned for all purposes as one day, at whatever hours the absence begins or ends.

(iii) “Meeting” means a meeting of the Panchayat Samiti or a standing committee.

(iv) “Member” means a member of the Panchayat Samiti and includes (i) a co-opted member, additional member & associate member, and (ii) a member and a co-opted member of a Standing Committee.

(v) “Standing Committee” means a standing committee of a Panchayat Samiti.

(vi) “Panchayat Samiti” means a Panchayat Samiti constituted under the Act.

3. *Travelling Allowance.*—(a) A member who attends meeting or performs any journey on official duty may draw the Travelling Allowance at the following rates:—

(i) Journey by Bus      Single Bus fare plus passengers  
Tax charged under the Rajasthan  
Passengers Taxation Act, 1959, if

separately charged by the Transport Operators and Toll Tax charged by the Municipalities of any station where it is actually charged plus incidental charges @4p. per mile, subject to a maximum of Rs. 3/-.

(ii) For journey between places not connected by bus or Rail.

(a) Where the journey is performed in his own motor Car or where the propulsion charges are paid by him @50 p. per mile for the first 50 miles and 0.37 p. per mile for the next 100 miles on the same day and 1.25 p. per mile beyond 150 miles on the same day.

(b) Where the journey is performed by any other means @31 p. per mile.

(c) Where the journey is performed on Cycle or on foot @ 12 p. per mile,

(iii) Journey by Rail.

1st class fare and incidental charges @ 6 p. per mile subject to a maximum of Rs. 3/- per day.

Provided that a journey outside the jurisdiction of the Panchayat Samiti and within the district shall not be undertaken without the approval of the Pradhan of the Panchayat Samiti in writing.

(b) If the Pradhan undertakes a journey outside the jurisdiction of his district he shall not be entitled to any travelling allowance unless the journey has been approved by the Panchayat Samiti.

(c) If a member performs a journey otherwise than by rail or bus between places so connected, the Travelling Allowance shall be limited to what would have been admissible had the journey been performed by Rail between places connected by Rail and Bus both. In case of places connected by Bus only, it shall be limited to the T.A. admissible by Bus.

(d) If the journey is performed in a free locomotion provided at the expense of the Panchayat Samiti or Zila Parishad or any other local authority or the Government, no Travelling Allowance, what-so-ever, shall be admissible for such journeys.

Provided further that the provisions of clause (ii) above shall not be applicable to the Pradhan and members of a

Panchayat Samiti, which maintains a Motor Vehicle for touring purpose.

4. *Daily allowance*.—(a) A member who attends a meeting or attends to any official work may draw daily allowance @ Rs. 3/- per day.

Provided that where a member has to arrive 8 hours before the day of meeting or official work or is required to leave the station after 8 hours of the said day on account of non-availability of Rail or Bus connections, he shall be entitled to daily allowance for such days at half the rates admissible under this rule.

(b) A Pradhan, who is not a member of the Legislative Assembly or Parliament, will be entitled to a monthly honorarium of one hundred and fifty rupees. Such honorarium shall be paid to the Pradhan during the period of training or instruction when he is so nominated for the purpose by the Zila Parishad or during the period of leave not exceeding twenty days in a financial year. The honorarium shall not be paid during the period of suspension.

He will not get any Daily Allowance for work at Panchayat Samiti Head quarters or at his ordinary places of residence. For journeys outside the Panchayat Samiti Head quarters he will get Daily Allowance only if he remains out of the Panchayat Samiti Head quarters and his ordinary place of residence for more than 8 hours when travelling by Government vehicle or make a halt at one place for more than 8 hours when travelling by other conveyance.

(c) The honorarium referred to in rule (b) above shall be admissible to the Up-Pradhan when he performs the duties of Pradhan during absence of Pradhan for more than one month at a time.

(d) If the member is provided free lodging and boarding at the expense of the Panchayat Samiti or Zila Parishad or any other local authority or Government, the rate of Daily allowance shall be limited to 1/4th of the allowance admissible under (a) above. Where only free boarding is allowed, the rate shall be limited to Rs. 1.50 p. per day.

(e) The rate of D. A. for the following places shall be as follows :—

(1) Delhi, Simla, Madras, Shrinagar, Mt. Abu., Mussorie and Ootakmand Rs. 4/- per day.

(2) Bombay and Calcutta Rs. 6/- per day.

5. *Travelling allowance to members residing locally*.—If a member of the Panchayat Samiti resides within a radius of 5 miles of the office of the Panchayat Samiti or the place of the

meeting, he shall be entitled to Daily Allowance only and not travelling allowance what-so-ever shall be admissible.

6. *Certificate*.—A member claiming travelling allowance and daily allowance shall record appropriate certificates of T. A. out of the following certificates.—

*Certificate,*

*Circumstance under which necessary.*

- |   |  |
|---|--|
| (1) Certified that I was not provided with any free locomotion at the expenses of the Panchayat Samiti or Zila Parishad or any local authority or the Government.                             | In all cases.  |
| (2) Certified that the T. A. claimed is in accordance with the rules and that the amount claimed therein is correct and that I actually travelled in the class for which the fare is claimed. | In all cases.  |
| (3) Certified that I have not received any amount in respect of this claim previously.  | In all cases.  |
| (4) Certified that I have performed the journey outside the jurisdiction of the Panchayat Samiti with the approval of the Pradhan/Samiti.   | In case where journey is performed outside Panchayat Samiti. |
| (5) Certified that I have performed the journey in my own Motor Car/in a Motor Car the propulsion charges of which were paid by me.   | Where the journey is performed by Motor Car.                 |
| (6) Certified that I have actually performed the journey from the place where I originally reside.  | In all cases.  |

7. *Counter signatures on T. A. Bills*.—The T. A. Bills of the members shall be countersigned by the Pradhan of the Panchayat Samiti. The T. A. Bill of Pradhan will not require the counter signatures.

8. *Form in which T. A. & D. A. will be claimed*.—The T. A. & D. A. claim will be preferred in the form as per annexure to these rules.

9. *Supersession*.—These rules supersede the existing rules from the date these rules came into force.



# THE RAJ. ZILA PARISHADS (PAYMENT OF ALLOWANCE TO MEMBERS) RULES, 1961

[Notification No. F. 185 (73) DD/60-61/ Accts Dated 17-10-1961, published in Rajasthan Gazette Part IV-C, ordinary, dated 16-11-61.]

In exercise of the powers conferred by Sub-Sec. (1) of Sec. 79 read with Sec. 61 of the Rajasthan panchayat Samitis & Zila Parishads Act, 1959 (Act No. 37 of 1959) and in supersession of this Department notification No. F.45 (173) (219) Co-ord/DD/59, dated October 26, 1959 the State Government hereby makes the following rules, namely:—

1. *Short Title and Commencement*—(i) These rules may be called the Rajasthan Zila Parishads ( Payment of allowance to members ) Rules, 1961.

(ii) They shall come into force from the date of their publication in the official Gazette.

2. *Definitions*.—In these rules the context otherwise requires—

(i) “Act” means the Rajasthan Panchayat Samitis & Zila parishads Act, 1959 (Act No. of 1959).

(ii) “Day” means the calendar day beginning and ending at midnight but on absence from headquarters which does not exceed 4 hours, shall be reckoned as one day of whatever hours this absence begins or ends.

(iii) “Meeting” means a meeting of the Zila Parishad or a Sub-Committee.

(iv) “Member” means a member of the Zila Parishad and includes a co opted member and additional member.

(v) “Sub-Committee” means a Sub-committee constituted by the Zila Parishad under Sec. 50 of the Act.

(vi) Zila Parishad” means a Zila Parishad constituted under the Act.

3. *Travelling Allowance*.—(a) A member who attends meeting or performs any journey on official duty may draw the Travelling Allowance at the following rates:—

(i) *Journey by Bus*—Single Bus fare plus passengers tax charged under the Rajasthan Passengers and Taxation Act, 1959, if separately charged by the Transport

Operators and Toll Tax charged by the Municipalities of any station where it is actually charged plus incidental charges + 6 P. per mile, subject to a maximum of Rs 5/-.

- (ii) For journey between places not connected by Bus or Rail.—
- (a) Where the journey is performed in his own Motor Car or where the propulsion charges are paid by him, 0.50 P. per mile for the first 50 miles and 0.37 P. per mile for the next 100 miles on the same day and 0.25 P. per mile beyond 150 miles on the same day.
  - (b) Where the journey is performed by any other means 0.31 P. per mile.
  - (c) Where journey is performed on Cycle or on foot 0.12 P. per mile

Journey by Rail—Ist class fare and incidental charges @ 6 P. per mile subject to a maximum of Rs. 5/-per day.

Provided—

(i) that the provisions of clause (iii) above in so far as they relate to journey by rail shall not apply to the members of the Zila Parishad who are members of Parliament, but they shall be entitled to get incidental charges at the rate provided in the said clause.

(ii) that the journey outside the jurisdiction of the Zila Parishad shall not be undertaken without the approval of the Pramukh of the Zila Parishad in writing.

(iii) that the provisions of clause (ii) above shall not be applicable to the Pramukh and members of Zila Parishad which maintaining a motor vehicle for touring purpose and the journey is undertaken in the said motor vehicle,

Provided further that the journey outside the jurisdiction of the Zila Parishad shall not be undertaken without the approval of the Pramukh of the Zila Parishad in writing.

(b) The Pramukh of the Zila Parishad shall not be entitled to the above Travelling Allowance in respect of the journeys outside the jurisdiction of the Zila Parishad until the said journey has been approved by the Zila Parishad.

(c) If a member performs a journey otherwise than by Rail or bus between places so connected, the Travelling Allowance shall be limited to what would have been admissible had

the journey been performed by Rail between places connected by Rail and Bus both. In case of places connected by Bus only it shall be limited to the T. A. admissible by Bus.

(d) If the journey is performed in a free locomotion provided at the expense of the Panchayat Samiti or any other local authority or the Government on Travelling Allowance, whatsoever, shall be admissible for such journeys.

(4) *Daily Allowance*:—(a) A member who attends a meeting or attends to any official work may draw daily allowance @ Rs. 5/- per day.

Provided that where a member has to arrive 7 hours before the day of meeting of the official work or is required to leave the station after 8 hours of the said day on account of non-availability of Rail or Bus connections, he shall be entitled to daily day allowance for such days  $\frac{1}{2}$  at the rates admissible under this rule.

(b) The Pramukh of the Zila Parishad except where he is a M. L. A. or M. P. shall be entitled a monthly honorarium of Rs 250/-. The honorarium shall also be paid during leave upto 20 days in a financial year. The honorarium shall not be paid during period of suspension. He will not get any D. A. for work at Zila Parishad H. Qrs. or at their ordinary places of residence For journeys outside the Zila Parishad H. Qr. he will get D. A. only if they remain out of Zila Parishad H. Qrs. and their ordinary places of residence when travelling by Government vehicle and make a halt at one place for more than 8 hours when travelling by other conveyance.

(c) The honorarium referred to in (b) above shall be admissible to the Up-Pramukh when he performs the duties of the Pramukh during his absence for more than one month at a time.

(d) If the member is provided free lodging and boarding at the expense of the Zila Parishad or any other local authority or Government the rate of Daily Allowance shall be limited to  $\frac{1}{4}$ th of the allowance admissible under (a) above. Where only free boarding is allowed the rate shall be limited to Rs. 2.50 P. per day.

(e) The rate of D. A. for the following expensive localities shall be as follows—

(1) Delhi, Simla, Madras, Shrinagar, Mt. Abu, Mussori and Ootakmand.....Rs. 6.50 P. per day.

(2) Bombay and Calcutta.... Rs. 8/- per day.

(5) *Travelling allowance to members residing locally*.—If a member of the Zila Parishad resides within a radius of 5 miles

of the office of Zila Parishad or the place of meeting, he shall be entitled to Daily Allowance only, and no travelling allowance what-so-ever shall be admissible.

(6) *Certificate*.—A member claiming travelling allowance and daily allowance shall record appropriate certificates of T. A. out of the following certificates :—

Certificate.	Circumstances under which necessary.
(a) Certified that I was not provided with any free locomotion at the expenses of the Panchayat Samiti or Zila Parishad or any local authority of the Government.	In all cases
(b) Certified that the T. A. claimed is in accordance with the rules and that the amount claimed there in is correct and that I actually travelled in the class for which the fare is claimed.	In all cases.
(c) Certified that I have not received any amount in respect of this claim previously.	In all cases.
(d) Certified that I have performed the journey outside the jurisdiction of the Zila Parishad with the approval of the Pramukh, Zila Parishad.	In case where journey is performed outside the jurisdiction of Zila Parishad.
(e) Certified that I have performed the journey in my own motor car/in a Motor car the propulsion charges of which were paid by me.	Where the journey is performed by Motor car.
(f) Certified that I have actually performed the journey from the place where I originally reside	In all cases.

(7) *Counter signatures on T. A. Bills*—The T. A. Bills of the members shall be countersigned by the Pramukh of the Zila Parishad. The T.A. Bill of Pramukh will not require any counter signatures.

(8) *Form in which T.A and D.A. will be claimed*.—The T. A. and D. A. claim will be preferred in the forms as per annexure to these rules.

(9) *Supersessions*—These rules supersede the existing rules from the date these rules come into force.

ANNEXURE

T.A. & D.A. Bills of Shri.....

Date	Journey by Rail or Bus		Journey by Motor Car & any other means of conveyance			Daily Allowance		Purpose of Journey	Grand Total
	Fare	Miles	Miles	Rate	Amount	No.	Rate Amount of days		
	incidental Charges								

Certificates:—

Total amount of the Bills claimed:—

- [1]
- [2]
- [3]
- [4]
- [5]

Signature of Claimant.

The amount is chargeable to.....

Passed for Rs .....

Signature of the officer

Received Rs.....

Signature of the Claimant

Accountant/Cashier

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (DECLARATION OF KRISHI NIPUN) RULES, 1961

(Notification No. F. 45 (173)/Co-ord/DD/59, dated 8-3-1961, published in Rajasthan Gazette, Extraordinary, Part IV-C. dated 14-3-1961.)

In exercise of the powers conferred by sub-section (1) of section 79 read with clause (7) of section 2 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following rules, namely :

## RULES

1. *Short title and commencement.*—(i) These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads (Declaration of Krishi Nipun) Rules, 1961.

(ii) They shall come into force upon their publication in the official gazette.

2. *Organisation of crop competition.*—(i) For the purpose of declaring a Krishi Nipun a crop competition for every block shall be arranged by the Zila Parishads every year of Rabi or Kharif season.

(ii) The crop in respect of which the competition shall be arranged under sub-rule (1) shall be a crop which may be declared by the Zila Parishad for every block.

Provided that declaration made under this sub-rule shall not be liable to be altered before the expiration of a period of three years from the date of first declaration of Krishi Nipun.

3. *Fee for entry of.*—(1) Any person desirous of entering the crop competition notified for his block shall submit an application in Schedule I to the Panchayat Samiti which shall transmit the same to the Zila Parishad after due scrutiny and verification of the information furnished in each application.

Provided that no person who does not cultivate or possess atleast  $2\frac{1}{2}$  acres of land shall be eligible to contest under this rule.

(2) A fee of 25 N.P. shall also accompany every application submitted under sub-rule (1).

4. *Formation of committee.*—For the purpose of holding the competition and adjudging the crops under these rules, each Zila Parishad shall constitute a committee consisting of a Chairman and three other members :

Provided that the District Agriculture Officer or his nominee who shall have experience in Agriculture shall be one of the members of such a Committee.

5. *Method for assessment of the yield of crops.*—The procedure for adjudging the yield of crops under these rules shall so far as may be, as specified in Schedule II to these rules.

6. *Declaration of Krishi Nipun.*—(1) A competitor producing the maximum yield in respect of his block shall be declared a Krishi Nipun for that Block.

(2) The decision of the Committee under these rules shall for all purposes be deemed to be the decision of the Zila Parishad.

### SCHEDULE 'I'

[See Rule 3]

(Form of application for entering the competition for declaring Krishi Nipun).

1. Panchayat Samiti.....
2. Zila Parishad.....
3. Village.....
4. Cultivator's name  
with his father's  
name .....
5. (i) Total area of  
the competition  
plot.....  
(ii) Total area of  
the plot possessed .....
6. Type of soil.....
7. Previous crop grown.....
8. Preparation of land .....  
(No. of ploughing, planking etc.)
9. Date of sowing of the present crop....
10. Variety.....
11. Seed rate used .....
12. Quantity of organic and inorganic  
manures applied with methods and  
time of application .....
13. Total No. of irrigation given with  
dates .....
14. Source of irrigation.....
15. Interculture (mention No.  
type and date).....
16. General weather conditions .....

17. Disease and insect Pest attacks  
and their effects on the crop .....
18. Any other information.....

Signature or thumb  
impression of the Competitor

## SCHEDULE "II"

[ See Rule 5 ]

### Method for assessment of the yield of crops

1. The following method shall be adopted for the purpose of assessing the yield of crops under these rules, namely—

(a) The area under competition for all crops except potato and Paddy shall be  $2\frac{1}{2}$  acres. In case of Paddy, it shall be half an acre whereas for Potato it shall be one fourth of a falling, within the specified area.

(b) The specified area shall be demarcated before harvesting operations start.

(c) The Officials concerned present for the supervision shall inspect the field and satisfy themselves that there is too much of the shedding of the ears and pods in the field and the crop has not been unduly interfered with.

(d) The harvested produce of the entire area shall be tied up in bundles.

(e) Each bundle shall be labelled and weighed and the weight recorded.

(f) While weighing each 20th bundle shall be kept aside. Such bundles which are kept aside shall be grouped in three more or less equal lots. Each such lot shall be weighed and threshed immediately and the weight of the grain recorded separately. The total weight of the grain of all the three lots will indicate the yield of the 20th bundle. This operation shall be completed on the first day.

(g) The procedure under clause (e) shall give a ratio of the grain to total produce i. e. straw and grain. Applying this ratio to the total produce of the entire area, estimated amount of grain will be calculated.

(h) The remaining bundles shall be weighed before the threshing operations start the next day and the weight of grain obtained after threshing and winnowing recorded.

(i) Two results shall thus be obtained from the area harvested, i.e.

(i) the estimated yield of grain by applying the ratio,  
and



(ii) Actual yield of grain from the area as weighed. Both the results shall be recorded in Schedule III.

2. (a) In case of maize, instead of harvesting the plants, cobs shall be plucked. These cobs shall be weighed and their weight recorded.

(b) After the total weight of the crops has been determined, approximately thirty seers of cobs in three lots (10) seers in each lot shall be threshed separately and the grain to cob ratio ascertained. This will give a rough idea of the total yield of the grain at the time of the harvest.

(c) The grain obtained out of these lots shall be mixed up thoroughly. Two samples each weighing five seers of cobs shall be taken out, one to be retained by the competitor and the other by the committee referred to in rule 4.

3. (a) In case of Jawar, and Rabi Jawar and Bajra, cob ears shall be cut from the entire area on the same day and weighed. Approximately 1/20th of the weight of entire produce shall then be taken out at random, divided into three separate equal lots, threshed on the first day itself and the weight of grain and chaff recorded for each lot separately.

The total weight of all the three lots shall indicate the yield of 1/20th of the produce. Applying this ratio, the total yield of the acre plot shall be calculated. The rest of the produce shall then be weighed next day, threshed and grain weighed.

(b) Two samples each weighing one seer shall be taken out one to be retained by the competitor and the other by the Committee referred to in rule 4.

### SCHEDULE III (Crop Competition)

- Panchayat Samiti.....
- Zila Parishad.....
- Crop.....
1. Full name and address of the cultivator.....
  2. Father's name in full.....
  3. Location of the plot.....
  4. Dimension of area harvested. Ft. length  
breadth.....
  5. Total No. of bundles formed out of the harvested crops.....
  6. Total No. of bundles threshed on the harvesting day.....

7. Weight of the bundles.....
8. Weight of the bundles threshed on the harvesting day....
- 9 Weight of all the bundles threshed on the following day.....
10. Yield of the produce from the bundles threshed on the harvesting day.
11. Estimated total produce given.
12. Yield obtained from the bundles threshed on the following day....
13. Total produce of one acre plot vide item (10) (12).
14. Remarks.

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (DISTRICT ESTABLISHMENT COMMITTEE) RULES, 1961

[Notification No. 116 (21)/PS/Rules/Coord/DD/61, dated August, 1961, published in Rajasthan Gazette, Part IV-C, dated 26-10-1961.]

In exercise of the powers conferred by sub-sec. (1) of sec. 79 read with Sec. 88 (2) of the Rajasthan Panchayat Samitis and Zila Parishad Act, 1959 (Act No. 37 of 1959), the State Government hereby makes the following Rules, namely :—

1. *Short title and commencement.*—These Rules may be called the Rajasthan Panchayat Samitis and Zila Parishad, (District Establishment Committee) Rules, 1961.

(ii) They shall come into force from the date of publication in the official Gazette.

2. *Definitions.*—In these Rules, unless the context otherwise requires—

(i) “Act” means the Rajasthan Panchayat Samitis & Zila Parishads Act, 1959 (Act No. 37 of 1959).

(ii) “Chairman” means the Chairman of the District Establishment Committee appointed under Sec. 88 (1)(a) of the Act.

(iii) “Committee” means the District Establishment Committee constituted under sec. 88 (i) of the Act.

(iv) “Section” means a section of the Act.

(v) “Secretary” means the Secretary to the Zila Parishad appointed under the Act.

3. *Meeting of the District Establishment Committee.*—Every committee shall meet at the District headquarter at such time as the Chairman may from time to time appoint in this behalf.

Provided that the Committee shall meet at least once in six months.

4. *Notices of Meeting.*—The secretary with the approval of the Chairman shall issue notice of the meeting to every member of the committee and no meeting shall be held unless notice of the place, date and time of the meeting and business to be transacted is given seven days before the date fixed for the meeting.

Provided that the Chairman may convene a meeting at a shorter notice for the purpose of disposing of any urgent business.

5. *Agenda for a Meeting.*—The agenda for a meeting shall be prepared by the Secretary with the approval of the Chairman and it shall include any matter suggested by any of the members of the committee in writing alongwith a short explanatory note. No business not on the agenda shall ordinarily be transacted at any meeting.

Provided that the Chairman may place or permit any member to place for consideration of the committee any matter not included in the agenda of a meeting.

6. *Presiding over the meeting.*—Every meeting shall be presided by the Chairman.

7. *Quorum for Meeting.*—No business shall be transacted at a meeting unless the Chairman and one member are present.

8. *Decision to be by Majority.*—All decision shall be taken by a majority of opinion. In case where only two members are present and there is no unanimous opinion, the matter shall be referred to the third member and decision shall be taken according to his opinion. The third member may give his opinion on the reference or may with hold his opinion and direct the Secretary to put up the next meeting for consideration.

9. *Minutes of the proceedings at the meeting.*—The Secretary shall draw up the minutes of the proceedings of every meeting and enter them in a book to be kept for the purpose under his signature.

10. *Mode of consultation in case of extension of temporary appointments.*—(1) Where the period of any temporary appointment made under the first proviso to sub-section (8) of section 86 is to be extended, the appointing authority shall refer the case to the committee with a brief note stating the reasons thereof at least two months before the date on which the term is to expire.

(2) Subject to the Rajasthan Panchayat Samitis and Zila Parishads Service Rules 1959, the committee shall after considering the views of the appointing authority and the record of the service of the person concerned make such recommendation as the Committee may consider appropriate.

Provided that the Committee may refuse to recommend the extension in case, the reference is not made within the time prescribed in sub-rule (1).

11. *Appointment by promotion or transfer.*—Recommendation with regard to appointments by promotion or transfer under sub-section (9) of section 85 of the Act shall be made in accordance with the provisions contained in the Rajasthan Panchayat Samitis and Zila Parishads Rules, 1959, after considering the views of the appointing authority and record of the services of the persons concerned.

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS SERVICE PUNISHMENT & APPEAL RULES, 1961

[Notification No. F. 23 (5) Appts. (A)/60/Group III, Dt. 25-5-61, published in Rajasthan Gazette, Part IV-C, ordinary, dated 31-8-61.]

In exercise of the powers conferred by sub-sec. (i) of sec. 79 read with clause (b) of sub-sec. (2) of sec. 88 and 89 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959, (37 of 1959) the State Government hereby makes the following rules, namely—

1. Short title and Commencement.—(a) These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Services (Punishment and Appeal) Rules, 1961.

(b) They shall come into force at once.

2. Interpretation—In these rules, unless the context otherwise requires:—

(a) “Act” means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (37 of 1959);

(b) “appellate authority” means the authority to which an appeal lies under sub-sec. (5) and (6) of sec. 89;

(c) “appointed authority” means the authority empowered to make appointments of any officer or servant of a Panchayat Samiti or Zila Parishad under sec. 31 of the Act;

(d) “Committee” means the District Establishment Committee formed under sub-sec. (1) of sec. 88 of the Act;

(e) “Commission” means the Selection Commission constituted under sub-sec. (6) of sec. 86 of the Act; and

(f) “disciplinary authority” means the authority competent to impose any punishment under sec. 89 of the Act.

3. Application. —These rules shall apply to all the officer and servants of Panchayat Samitis and Zila Parishads other than the officers mentioned in secs. 26 and 55 of the Act and persons in casual employment and persons subject to discharge on less than one month's notice.

4. Removal of Doubts—Where a doubt arises as to the interpretation of any of the provisions of these rules or their applicability, the matter shall be referred to the Government whose decision thereon shall be final.

5. **Suspension.**—(1) The appointing authority may place under suspension any officer or servant of a Panchayat Samiti or Zila Parishad.

[a] where disciplinary proceeding against him is contemplated or is pending, or

[b] where a case against him in respect of any criminal offence is under investigation or trial.

(2) Any such officer or servant who is detained in custody, where on a criminal charge or otherwise, for a period exceeding fortyeight hours shall be deemed to have been suspended with effect from the date of detention, by an order of the appointing authority and shall remain under suspension until further orders.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon any such officer or servant under suspension is set aside in appeal and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon such officer or servant is set aside or declared or rendered void in consequence or by a decision of a Court of Law and the disciplinary authority on a consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the officer or servant be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal, removal compulsory retirement and shall continue to remain under suspension until further orders.

(5) An order of suspension made or deemed to have been made under this rule may at any time be revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

6. **Punishment.**—The following punishment may, for the good and sufficient reasons, which shall be recorded and as hereinafter provided be imposed on the officers and servants of Panchayat Samitis and Zila Parishads namely—

i) censure;

(ii) with holding of increments or promotion;

(iii) recovery from pay of the whole or part of any pecuniary loss caused to the Panchayat Samiti or Zila Parishad by negligence or breach of any law, rule or order;

(iv) reduction to a lower grade or post or to a lower time scale or in the case of pension to an amount lower than that due under the rule;

(v) compulsory retirement on proportionate pension;

(vi) removal from service which shall not be a disqualification for further employment;

(vii) dismissal from service which shall ordinarily be a disqualification for future employment.

*Explanation.*—The following shall not amount to a penalty within the meaning of this rule—

(i) withholding of increments of such officer or servant for failure to pass any examination in accordance with the rules or orders governing the service or post of the terms of the appointment;

(ii) stoppage of such officer or servant at the efficiency bar in the time scale on the ground of unfitness to cross the bar;

(iii) non-promotion whether in a substantive or officiating capacity of such officer or servant after consideration of his case, to a service, grade or post for promotion to which he is eligible;

(iv) revision to a lower grade or post of such officer or servant officiating in a higher grade or post on the ground that is considered after trial, to be unsuitable for such higher grade or post or on administrative grounds unconnected with his conduct;

(v) compulsory retirement of such officer or servant in accordance with the provisions relating to his superannuation or retirement;

(vi) termination of the services—

(a) of such officer or servant appointed on probation, during or at the end of the period of probation in accordance with the terms of his appointment or the rule and order governing, probation, or

(b) of a temporary officer or servant appointed otherwise than under contract on the expiration of the period of appointment.

**7. Procedure for imposing Major Penalties.**—(1) No order imposing on any officer or servant of a Panchayat Samiti or Zila Parishad any of the punishments specified in clause (iv) to (vii) of rule 6 shall be passed except after an inquiry held as far as may be, in the manner hereinafter provided.

(2) The disciplinary authority shall frame definite charges on the basis of the allegations on which the inquiry is proposed to be held. Such charges together with a statement of the allegations on which they are based shall be communicated in writing to such officer or servant and he shall be required to submit, within such time as may be specified by the disciplinary authority, a written statement indicating whether he admits the truth of all or any of the charges, what explanation or defence, if any, he has to offer and whether he desires to be heard in person;

Provided that it shall not be necessary to frame any additional charge when it is proposed to take action in respect of any statements of allegation made by, the person charged in the course of his defence.

(3) Such officer or servant shall for the purpose of preparing his defence, be permitted to inspect and take extracts from such official records as he may specify, provided that such permission may be refused if, for reasons to be recorded in writing, in the opinion of the disciplinary authority such records are not relevant for the purpose or it is against the public interest to allow him access thereto.

(4) On receipt of written statement of defence or if no such statement is received within the time specified, the disciplinary authority may itself inquire into such of the charges as are not admitted or, if it considers it necessary to do so, appoint a Board of Inquiry or an Inquiry Officer for the purpose.

(5) The disciplinary authority may nominate any person to present the case in support of the charges before the authority inquiring into the charges (hereinafter referred to as the inquiring authority). The officer or servant may present his case with the assistance of any other officer or servant approved by the disciplinary authority, but may not engage a legal practitioner for the purpose unless the person nominated by the disciplinary authority is a legal practitioner or unless the disciplinary authority, having regard to the circumstances of the case, so permits.

(6) The inquiring authority shall, in the course of the inquiry, consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charges. The officer or servant shall be entitled to cross examine witness examined in support of the charges and to give evidence in person. The person presenting the case in support of the charges shall be entitled to cross examine the officer or servant and the witness examined in his defence. If the inquiring authority declines to examine any witness on the ground



that his evidence is not relevant or material, it shall record its reasons in writing.

7. At the conclusion of the enquiry, the inquiring authority shall prepare a report of the inquiry, recording its findings on each of the charges together with reasons therefor. If in the opinion of such authority the proceedings of the inquiry establish charges different from those originally framed, it may record findings on such charges provided that findings on such charges shall not be recorded unless the officer or servant has admitted the facts constituting them or has had an opportunity of defending himself against them.

8. The record of the inquiry shall include—

- (i) The charges framed against the officer or servant and the statement of allegations furnished to him under sub-rule (2);
- (ii) his written statement of defence, if any;
- (iii) the oral evidence taken in the course of the inquiry;
- (iv) the documentary evidence considered in the course of the inquiry;
- (v) the orders, if any, made by the disciplinary authority and the inquiring authority in regard to the inquiry; and
- (vi) a report setting out the findings on each charge and the reasons therefore.

9. The disciplinary authority shall, if it is not the inquiring authority consider the record of the inquiry and record its findings on each charge.

10. If the disciplinary authority, having regard to its findings on the charge is of the opinion that any of the penalties specified in clauses (iv) to (vii) of rule 6 should be imposed, it shall—

- (a) furnish to the member of the service a copy of the report of the inquiring authority, and where the disciplinary authority is not the inquiring authority, a statement of its findings together with brief reasons for disagreement, if any, with the findings of the inquiring authority;
- (b) give him a notice stating the action proposed to be taken in regard to him and calling upon him to submit within a specified time such representation as he may wish to make against the proposed action; and
- (c) consider the representation, if any, made by the officer or servant as aforesaid and determine what puni.

ishment if any, should be imposed on the member of the service and pass appropriate orders in the case.

- (d) If the disciplinary authority having regard to its findings is of the opinion that any of the penalties specified in clauses (i) to (iii) of rule 6 should be imposed, it shall pass appropriate orders in the case.

11. Orders passed by the disciplinary authority shall be communicated to the officer or the servant who shall also be supplied with a copy of the report of the inquiring authority and, where the disciplinary authority is not the inquiring authority, a statement of its findings together with brief reasons for disagreement, if any, with the findings of the inquiring authority, unless they have already been supplied to him.

12. No such inquiry as hereinbefore provided in this rule shall be necessary before imposing any of the punishments specified in clauses (iv) to (vii) of rule 6 on any such officer or servant—

- (a) where such punishment is imposed on the ground of conduct which has led to his conviction on a criminal charge;
- (b) where the disciplinary authority is satisfied that for some reason, to be recorded by the authority in writing, it is not reasonably practicable to hold such inquiry; or
- (c) where the disciplinary authority is satisfied that in the interest of the security of the State, it is not expedient to hold any such inquiry.

8. Procedure for imposing Minor Penalties.—(1) No order imposing any of the penalties specified in clauses (i) to (iii) of rule 6 shall be passed against any officer or servant of a Panchayat Samiti or a Zila Parishad except after—

- (a) the officer or servant is informed in writing of the proposal to take action against him and of allegations on which it is proposed to be taken and given an opportunity to make any representation he may wish to make;
- (b) such representation, if any, is taken into consideration by the disciplinary authority;

2. The record of proceedings in such cases shall include—

- (i) a copy of the intimation to the officer or servant of the proposal to take action against him;
- (ii) a copy of the statement of allegations communicated to him;
- (iii) his representation, if any;

(iv) the orders on the case together with the reasons therefor.

**9. Approval of the committee.**—No punishment under these rules shall be inflicted without the approval of the Committee where such approval is necessary under the provisions of sub-sec. (4) of sec. 89 of the Act.

**10. Joint Inquiry.**—Where two or more officers or servants are concerned in any case, the disciplinary authority or the authority competent to impose the penalty of dismissal from service on all such officers and servants may make an order directing that disciplinary action against all of them may be taken in a common proceeding.

**11. Copy of orders.**—In the case of an order which is appealable the authority passing the order shall within a reasonable time, give a certified copy of the order free of cost if already not supplied, to the person against whom the order is passed.

**12. Form and contents of Appeal.**—(1) Every person submitting the appeal shall do so separately and in his own name.

(2) The appeal shall be addressed to the authority to whom the appeal lies, shall, contain all material statement and arguments on which the appellant relies, shall not contain any disrespectful or improper language, and shall be complete in itself.

**13. Submission of Appeals.**—Every appeal shall be submitted through the proper channel to the authority which made the order appealed against.

Provided that a copy of the appeal may be submitted direct to the appellate authority.

**14. Transmission of Appeals.**—The authority which made the order appealed against shall, without any avoidable delay, transmit to the appellate authority every appeal together with its comments thereon and the relevant records.

**15. Consideration of Appeals.**—(1) in the case of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provisions of Rules 5 and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order accordingly.

(2) In the case of an appeal against an order imposing any of the penalties specified in rule 6 the appellate authority shall consider—

(a) whether the procedure prescribed in the rules has been complied with and if not, whether such non-compliance has

resulted in violation of any provisions of the Act or these rules or in the failure of justice;

(b) whether the facts on which the order was passed have been established,

(c) whether the facts established afford sufficient justification for making an order—

(d) whether the penalty imposed is excessive, adequate or inadequate : and pass order—

(i) setting aside, reducing, confirming or enhancing the punishment; or

(ii) remitting the case to the authority which imposed the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case :  
provided that—

(i) the appellate authority shall not impose any enhanced punishment which neither such authority nor the authority which made the order appealed against is competent in the case to impose ;

(ii) no order imposing an enhanced punishment shall be passed unless the appellant is given an opportunity of making any representation which he may wish to make against such enhanced punishment ; and

(iii) if the enhanced punishment which the appellate authority proposes to impose is not of the penalties specified in clause (iv) to (vii) of rule 6 and an inquiry under rule 7 has not already been held in the case, the appellate authority shall, subject to the provisions of rule 7, itself hold such inquiry or direct that such inquiry be held and there-after on consideration of the proceedings of such inquiry and after giving the appellant an opportunity of making any representation, which he may wish to make against such punishment pass such order as it may deem fit;

(iv) no order in appeal by a Panchayat Samiti or Zila Parishad without consulting the Committee and by the Committee [ ] without consulting the Commission ;

(v) an appeal shall be dismissed, if—

(a) it is an appeal against an order from which no appeal lies; or

(b) it does not comply with any of the provisions of rule 7; or

(c) it is not submitted within the period specified and no cause is shown for the delay; or

(d) it is a repetition of an appeal already decided and no new facts or circumstances are adduced.

16. Implementation of the Orders in Appeal.—The authority which made the order appealed against shall give effect to the order passed by the appellate authority.

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (RETIREMENT OF MEMBERS OF STANDING COMMITTEES) RULES, 1962

[Notification No. F. 4/PS/Rules (5)/4/62/1432, Dated 4-1-1962  
Published in the Rajasthan Gazette, Extraordinary, Part I V C Dt. 4-1-1962]

In exercise of the powers conferred by sub-section (1) of section 79 read with Section 20 (II) of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act No. 37 of 1959), the State Government hereby makes the following rules, namely :—

1. *Short title and commencement.*—(i) These rules may be called the Rajasthan Panchayat Samitis (Retirement of members of Standing Committees) Rules, 1962.

(ii) These rules shall come into force from the date of their publication in the official Gazette.

2. *Definition.*—(i) In these rules the subject or context otherwise requires—

(a) 'Act' means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959).

(b) 'Section' means a section of the Act.

(c) 'Standing Committee' means a Standing Committee constituted under section 20 of the Act.

(ii) All words and expressions used but not defined in these rules shall have the meanings as are respectively assigned to them in the Act.

3. *Meeting for determining members of the Standing Committee to retire first.*—(1) Before the expiration of one year from the date of formation of a Standing Committee, the Pradhan, or in his absence, the Up-Pradhan shall convene a meeting of such Standing Committee on a date and time to be fixed by the Pradhan or the Up-Pradhan, as the case may be, for the purpose of determining the members of the Standing Committee who shall first retire as provided in sub-sec. (11) of sec. 20.

Provided that if a meeting referred to in this sub-rule is not convened by the Pradhan, or in his absence by the Up-Pradhan upto one month (i.e. 30 days) before the expiration of one year, the Collector of the District shall convene a meeting of such Standing Committee and the Collector or his nominee

shall preside over such meeting and exercise all the functions of a Pradhan under these rules for the purpose of determining the members of the Standing Committee who shall retire as provided in sub-sec. (11) of sec. 20, but the Collector or his nominee shall not have power to vote.

(ii) The notice of such meeting shall be sent by post under certificate of posting or by such other mode as the Pradhan/Up-Pradhan may consider expedient to every member at his place of residence or by handing over to a member present at the Panchayat Samiti office 7 clear days before the date fixed for such meeting.

(iii) Such notice shall be published by affixing it on the notice board of the Panchayat Samiti at its office.

**4. Procedure at the meeting.**—(i) At such meeting the Pradhan, or in his absence the Up-Pradhan; (hereinafter referred to as the Presiding Officer) shall preside.

(ii) He shall prepare as many chits of blank paper as there are members of the Standing Committee including the Chairman and write before all such members the name of each of them separately on one of such chits.

(iii) When the chits bearing the name of all such members have been prepared and initialled by the Presiding Officer, they shall be folded up to so as to conceal the names written thereon and then mixed up together and put up in a vessel so that they may not be visible from outside.

(iv) The vessel containing the chits shall be placed in the centre place where the meeting is held and a stranger shall be called upon to draw out one by one from the vessel, by thrusting his hand therein and without looking into the interior thereof, as many folded chits as there are members to retire.

(v) The Presiding Officer shall take each chit so drawn out, unfold it and read out the name of the member written thereon and note his name in the proceeding drawn up under rule 5.

**5. Proceeding of meeting to be drawn up.**—(i) The Presiding Officer shall draw up a proceeding of the meeting, setting out therein clearly everything done and every step taken and the names of the members whose names appear on the chits drawn under rule 4.

(ii) One copy each of the proceeding shall be transmitted to the Collector and to the Development Commissioner.

**6. Retirement of members.**—The members of the Standing Committee whose names appear on the chits drawn under rule 4 shall retire from office upon expiration of one year from the date of formation of the Standing Committee.

**7. *Second Retirement.***—(i) On the occasion of the second retirement of members of the Standing Committee, a meeting shall be held, before the expiration of two years from the date of its formation as provided in rule 4.

(ii) At this meeting, the members to be retired shall be selected out of such of the first members of Standing Committee as did not retire on the first occasion.

(iii) The provisions of rule 3 to 5 shall apply to such meeting and such retirement subject to the modifications that—

(a) under sub-rule (ii) of rule 4, the Presiding Officer shall prepare chits equivalent in number to the number of unretired members, and

(b) that the members selected for retirement at this meeting shall retire upon the expiration of two years from the date of the formation of the Standing Committee.

# THE RAJ. PANCHAYAT SAMITIS (APPOINTMENT OF COUNSEL) RULES, 1962.

Notification No. F. 4/PS/R(5)/(52) 11313, dated 15-3-1962, published in the Rajasthan Gazette, Part IV-C, Extraordinary, dated 15-3-62]

In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishad Act, 1959 (Rajasthan Act 37 of 1959), the Government hereby makes the following rules, namely—

## RULES

1. *Short title & commencement*—(1) These rules may be called the Rajasthan Panchayat Samitis (Appointment of Counsel) Rules, 1962.

(2) These rules shall come into force at once.

2. *Appointment of a Counsel*—(1) Whenever any legal proceedings are initiated or are intended to be initiated by or against the Panchayat Samiti, it may, by a resolution passed by two third of the members present and voting, resolve to appoint a Counsel on such terms and conditions as it may determine.

(2) A proposal to appoint a legal adviser, in accordance with rule (1) shall contain the expected work load and the remuneration payable to him, and shall be sent to the Collector of the District for approval.

(3) On receipt of a proposal under sub-rule (2) the Collector may sanction the same with such modification as he may deem fit or refuse to sanction the same.

(4) No counsel or lawyer shall be appointed for any case or suit where the interest of the Panchayat Samiti is not specifically involved.



# THE RAJ. PANCHAYAT SAMITI & ZILA PARISHADS SERVICE (REVISED PAY SCALES) RULES, 1962

[Notification No.F 4/PS/Rules (5) 40/62/20/22, dated 22-11-62, published in Raj. Gazette, Part IV-C, Ex. dated 24-11-1962].

In exercise of the powers conferred by section 31 and sub-section (1) of section 79 of Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959) and all other provisions enabling it in this behalf the State Government hereby makes the following Rules, namely:—

## RULES

1. *Short title and commencement and scope.*—(i) These Rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Revised Pay Scales) Rules, 1962.

(ii) These rules shall come into force immediately.

Provided that the pay scales provided in these rules shall be applicable from the 1st Day of September, 1961.

(iii) These rules shall apply to all members of the Rajasthan Panchayat Samitis and Zila Parishads Service and the Rajasthan Panchayat Samitis and Zila Parishad (Class IV) service.

2. *Application of the Rajasthan Civil services (Revised Pay) Rules, 1961.*—The Rajasthan Civil Services (Revised Pay) Rules, 1961, as amended from time to time shall apply mutatis mutandis to the members of the Rajasthan Panchayat Samitis and Zila Parishads Service and the Rajasthan Panchayat Samitis and Zila Parishads (Class IV) Service subject to the following variations, namely .—

(a) Reference in said rules to “Government Servant” shall be construed as a reference to the members of the Rajasthan Panchayat Samitis and Zila Parishads Service or the Rajasthan Panchayat Samitis and Zila Parishads (Class IV) Service, as the case may be; and reference to the ‘Governor’ shall be construed as a reference to the Government.

(b) For the schedules I and II ( Part 1 ) of the said rules. the enclosed schedules shall be substituted.

# SCHEDULE No. I

## Section-A Revised Scales

1. 45-1-70.
2. 50-1-70 2-76-EB-2-80
3. 65-1-70-2-90
4. 65-2-75-3-93-4-105
5. 75-3-120-5-130
6. 75-3-90-4-110-5-130-EB-5-160
7. 105-4-125-5-150
8. 75-4-95-105-EB-5-130-EB-5-160
9. 90-4-102-EB-4-110-5-150
10. 90-4-110-EB-5-155-7½-170.
11. 105-5-200
12. 105-5-150-8-190-10-240

## SCHEDULE No. II. (Schedule of Special Pay)

### Part I

Special pay abolished being merged with basic pay in revised pay scales.		
Post	Existing pay Scale	New pay Scale No.
Gramsevak	80-5-175	(11)
(Selection Grade)		
Gramsevak	60-4-80-5-130	(10)

Gram Sevak  
Gram Sevika

50-3-80

Rs 10/-

(4)

## SCHEDULE No. 1

## (Section C to D)

S.No.	Name of the post	Existing pay Scales as per Schedule to the Rajasthan Panchayat Samitis & Zila Parishads Service Rule, 1959.	Revised Pay Scale.	Scale No.
1	2	3	4	5
1.	All Class IV Servants in Scale of Rs. 25 1-40	25-1-40	45-1-70	(1)
2.	Dressers	30-1-45-2-55	50-1-70-2-76-EB-2-80	(2)
3.	Fieldmen (Junior)	30-1-45	50-1-70-2-76-EB-2-80	(2)
4.	Mates	40-2-60	65-1-70-2-90	(3)
5.	Vaccinators	40-2-60	65-1-70-2-90	(3)
6.	Projector Operator Gd. II	50-3-80	65-2-75-3-93-4-105	(4)
7.	Drivers	60-4-100	75-3-120-5-130	(5)
8.	Mechanics	50-3-95-5-100	75-3-90-4-110-5-130	(6)
9.	Fieldman Senior	60-4-80-5-130	EB-5-160	
10.	Projector Operator Gd. I	60-4-80-5-130	75-3-90-4-110-5-130-EB-5-160	(6)
11.	Primary School Teachers	60-4-80-5-130 50-4-70-5-80 50-2-60-3-75 40-1-50	75-3-90-4-110-5-130-EB-5-160 75-4-95-5-105-EB-5-130-5-160	(6) (8)
12.	Lower Division Clerks	60-4-80-5-130	90-4-102-EB-4-110-5-150	(9)

60-4-80-5-130	90-4-110-EB-5-155-7½-170	(10)
60-4-80-5-130	90-4-110-EB-5-155-7½-170	(10)
60-4-80-5-130	90-4-110-EB-5-155-7½-170	(10)
60-4-80-5-130	90-4-110-EB-5-155-7½-170	(10)
60-4-80-5-130	90-4-110-EB-5-155-7½-170	(11)
60-4-80-5-130	105-5-200	

13. Sheep & Wool Supervisor.

14. Stockman & Stock Asstt.

15. Poultry Demonstrator

16. Veterinary Compounder

17. (i) Selection Grade Village

Level Worker (Gram sevak or Gramsevik).  
(ii) Village Level Worker Gram sevak who is Matriculate and trained both in basic and extension and Gramsevik who is Matriculate and trained in Home Science wing).

The bar at Rs. 110/- will not be crossed

(i) by a Matriculate Gramsevak who is not trained in both or in extension in case of Women training Home Science training (ii) by Gram-Matriculate in both sevak trained in basic and extension or in case of Science in Home Science unless he/she passes the Matriculate Examination.

80-5-175 plus Spl. pay Rs. 10/-  
60-4-80-5-130 plus Spl. pay of Rs. 10/-

90-4-110-EB-5-155-7½-170 with minimum pay of Rs. 102/-

65-2-75-3-93-4-105 (4)

(iii) Village Level Worker : 50-5-80

(Gramsevak who is Matriculate trained either in basic or extension, or (b) non-matriculate but trained in both basic and extension (c) Gramsevika Non-matriculate but trained in Home Science Wing).

50/- fixed

(3)

65-1-70-2-90 with fixed pay of Rs. 74/- plus D.A. of Rs. 10/-

trained)

(iv) Village Level Worker : 50/- fixed without D.A.

(2)

50-1-70-2-76-EB-2-80 with fixed pay of Rs. 50/- plus Rs. 10/- D.A.

105-5-150-8-190-10-240(12)

80-5-120-8-160-10-200

18. Upper Division Clerks.

# THE RAJ. PANCHAYAT SAMITIS (USE OF VEHICLES) RULES, 1963

[ Notification, No. F. 4/L F/PS/Rules/( 5 ) 3/63/11861, dated 19-6-1963, Published in the Rajasthan Gazette, Part IV-C Ordinary, dated 22-8-1963 ]

In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis & Zila Parishads Act, 1959 (Rajasthan Act No. 37 of 1959), the State Government hereby makes the following rules, namely :—

## PART I PRELIMINARY

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Panchayat Samitis (Use of Vehicles) Rules, 1963.

(2) These rules shall come into force upon their publication in the official Gazette.

2. *Definitions.*—In these rules, unless the context otherwise requires—

(1) “Pradhan” means the Pradhan of a Panchayat Samiti.

(2) “Vikas Adhikari” means the officer appointed with that designation by the State Government or by such authority as may be authorised by the State Government in that behalf.

(3) Words and expressions used but not defined in these rules shall have the meaning assigned to them in the Act.

3. *Scope.*—These rules regulate the control and use of vehicle such as motor cars, Jeeps, Station Wagons, Pick-ups, Trucks, Tractor etc. at the disposal of the Panchayat Samitis (for the performance of journey on duty).

4. *Controlling Officer.*—Vehicles provided for the use of a Panchayat Samiti shall be under the control of the Vikas Adhikari who will be the Controlling Officer in respect of the vehicles. The controlling officer shall be responsible for the proper use, care and maintenance of the vehicles and will regulate the journeys in accordance with these rules.

## PART II MAINTENANCE OF VEHICLES

5. *Number Plates.*—(1) All vehicles of the Panchayat Samitis shall, in addition to the number plate, exhibit plates

in front and at the rear indicating the name of the Panchayat Samiti to which these have been allotted.

(2) The registered number of the vehicles shall be painted clearly and distinctly on the outside walls of all the tyres of the vehicles.

**6. Record of Vehicles.**—In respect of each vehicle under his control, the Controlling Officer shall be responsible for the maintenance of—

- (a) a log book in form No. 1,
- (b) a register in form No. 2, showing cost of petrol or powerine etc. consumed and other incidental receipts and expenditure; and
- (c) an inventory of equipment in Form No. 3.

**7. Precautions in respect of consumption of petrol.**—(1) The petrol or powerine tanks of vehicles shall be fitted with locks and the keys thereto shall be kept in the possession of a Vikas Adhikari or any Officer authorised by the Vikas Adhikari, who should be present when petrol or powerine is put in the tank.

(2) The log book shall be examined and signed by a responsible officer at the close of each month showing the total fuel and oil consumed during the month, the total distance covered and the average mileage of per litre of fuel or oil consumed. It shall then be put up to the Controlling Officer, who shall examine and satisfy himself that the average consumption of fuel and oil is reasonable, and countersign it. If the consumption of fuel or oil is high, he will take immediate steps to look into the causes and take suitable steps.

**8. Inspection of inventory.**—The inventory shall be checked by the Controlling Officer or by a responsible officer deputed by him for the purpose every six month and any loss arising out of negligence or default shall be recovered from the person concerned. A report of inspection shall be prepared and kept on record. If the inspection is carried out by an officer other than the Controlling Officer, the report shall be placed immediately after inspection before the Controlling Officer.

**9. Testing and servicing of vehicles.**—(1) The Controlling Officer shall have each vehicles tested every month regarding fitness for journeys and place a report on record.

(2) He will also submit a half yearly report to the Panchayat Samiti about the Kilometers run and the expenditure incurred on the maintenance of each vehicle.

(3) Each vehicle shall be serviced and lubricated after it has run for 1500 kilometers.

(4) The place where the vehicle shall be taken for service, or lubrication, or repair shall be decided by the Standing Committee of the Panchayat Samiti by a Resolution which will be subject to approval by the Collector.

10. *Handing over on vacation of office.*—In the event of the Controlling Officer vacating the office, the vehicles shall be handed over to his successor with complete equipment, spare parts, spare wheels, tyres and tools, and with the record referred to in rule 6. The certificate of handing over and taking over shall be prepared and signed by the relieved and relieving authorities on each of the three records given in Rule 6.

11. *Meters.*—Each vehicle shall be fitted with a meter and in case of tractors with hour meter. It shall be the responsibility of the Controlling Officer to see that the meters are kept in proper working order. As soon as a meter falls out of order, steps should be taken to get it repaired or replaced as the case may be. The Controlling Officer shall ensure that the meter is not tampered with.

12. *Entry in the log book.*—(1) The person using the vehicle shall note in the log book in his own hand, the meter reading at the start and at the completion of each journey. He shall also indicate whether the journey undertaken was on official duty and if so the purpose of the journey shall be briefly recorded. It shall not be enough merely to state that the journey was official.

(2) When more than one Officer travel together in a vehicle the senior most officer will make entries in the log book.

(3) If any officer fails or refused to indicate the particulars of the journey undertaken by him, this fact should be reported immediately by the driver of the vehicle to the Controlling Officer.

13. *Insurance.*—All vehicles shall be insured against third party risk with a registered insurance company.

### PART III

#### Use of Vehicles

14. *Restrictions on the use of vehicles.*—The vehicles are intended for use of *bona fide* official duty within the jurisdiction of the Panchayat Samiti. Vehicles shall not be used for journeys outside the jurisdiction of the Panchayat Samiti without the previous sanction of the Collector, except that these may be taken for repairs or servicing to the places duly approved under sub-rule (4) of rule 9, or for leaving District Level Officers,



the Pramukhs and Headquarters Officers of the Development Department to the neighbouring block

15. *Condition for use of vehicles*:—(1) Subject to the provisions of sub-rule (2), the Pradhan, Chairman of Standing Committee of the Panchayat Samiti, and the Vikas Adhikari and Extension Officer are entitled to the use of the vehicles for official purposes.

(2) The use of vehicles shall be subject to the following conditions:—

(1) The vehicle shall not be used for touring to places which are served by railway or regular bus service, except for reasons to be recorded in writing.

(2) The vehicles will be used for inspection of development works and other activities of the Panchayat Samiti.

(3) The vehicle shall not be used for journey from residence to the usual place of office and *vice versa* :

Provided that whenever any case of serious sickness within the area of the Panchayat Samiti is reported and no ambulance is made available by the hospital for carrying the patient from the village to the hospital, the vehicle may be detailed for such purpose on payment of charges at the rate of 70 nP. per mile.

Provided further that recovery of such charges in any deserving and genuine case of extreme poverty may be exempted by the Collector.

(3) The vehicles may also be detailed for duty in connection with the visit to the Panchayat Samiti of the Ministers and other dignitaries, Heads of Departments, and Headquarters officers of the Development Department.

16. *Vehicles be driven only by Driver*.—Vehicles referred to in rule 3 shall only be driven by the authorised drivers thereof. No member of the Panchayat Samiti or Officer of the Panchayat Samitis shall drive the Jeep.

# FORM No.

Panchayat Samiti  
Log Book  
Vehicle No.....

## DRIVER'S LOG-BOOK

Motor Vehicle No ..... Stationed at .....

Date	Time		Details of Journey						Purpose of journey	Name of persons or particulars of articles carried
	Out	In	From	To	Routes	Milometer reading at commencement of journey	Milometer reading at the end of journey	Distance travelled in miles/Kilo meters		
1	2	3	4	5	6	7	8	9	10	11

Authority for making journey	Supplies			Signature of user	Recoveries to be effected, if any		Signature of controlling officer	Remarks
	Petrol in litres	Lubricatin oil in litres	Sundries i.e. grease etc.		Rate	Amount		
12	13	14	15	16	17	18	19	20

## Appendix A to Form No. I

### GENERAL INSTRUCTIONS

1. The Driver is responsible for the safe custody of Log Book. He will see that entries in it are made on the day of the journey.

2 The Log Book should accompany the Vehicle, whenever it is transferred.

3. If any defect is noticed in the Vehicle, it should be reported to the Controlling Officer in writing.

4. When one Log Book is full used up it will be returned to the Controlling Officer who will keep it in record and issue a new Log Book to the Driver. The date of issue and the No. of the new Log Book will be recorded at the top of page 1. The following particulars will also be entered and signed by the Controlling Officer in the new Log Book before issue: -

- (i) Milometer reading.
- (ii) Particulars of Vehicle.
- (iii) Lists of Tools and equipment with the vehicle.

## Appendix B to Form No. I

### INSTRUCTIONS TO DRIVERS

#### I—Daily Task

A. Before the Vehicle is taken out for duty, the Driver shall—

- (1) Check Petrol, Oil and water.
- (2) Clean Windscreen, Windows and Driving Mirror.
- (3) Check Tyre Pressure.
- (4) Start Engine and Check Light and Horn etc.
- (5) Check whether the Apperemeter is registering and oil Pressure Gauge is indicating.
- (6) Check Pressure of Brake Padel.

B. During Halt the Driver shall—

- (1) Check Oil, Water and Petrol.
- (2) Check for oil leaks from all assemblers and under Chassis.
- (3) Check Tyres.

C. After Driving, the driver shall—

- (1) Examine all checks mentioned at 'B' above.
- (2) Examine Road springs for loose 'U' bolts and broken leaves.
- (3) Enter mileage and fuel and oil drawn in the Log Book.
- (4) Leave the Vehicle clean and tidy and ready to move off for the next journey.

## II—Weekly Task

- A. Clean the interior stowage compartments and exterior of the vehicle thoroughly, Touch up paint where necessary.
- B. Check up all stowages and fittings for security and serviceability, adjusting where necessary.
- C. Inspect body, cab seats, superstructure and hood or security and damage.
- D. Oil all hinges, catches, locks, etc.
- E. Clean engine thoroughly and inspect carefully for leaks.
- F. Ensure governor and voltage regulator seals are intact. If not, REPORT.
- G. Examine plug leads for chafing and burning and tighten terminals where necessary.
- H. Inspect all pipes for damage.
- I. Check security of engine mountings. Watch for excessive movement of engine block when starting from cold. Remove traces of oil if any from rubber mounting block.
- J. Test Compression of engine when hot, with the starting handle. This should be approximately the same in all the cylinders as far as can be judged by the feel of the hand.

## III—Monthly Tasks

(To be done once each week, normally after a cycle of weekly tests has been completed, but before commencement of the next cycle).

### A. Tools & Equipment

- (1) Clean and check all tools and equipment against the up-to-date list in the Log Book. Report deficiencies and defects, if any.
- (2) Oil the tools which need oiling.

### B. Lubrication

- (i) Clean all nipples and lubricate with oil C. 600.
- (ii) Report all deficient or damaged nipples. No. of nipples and location vary with vehicles but generally the following nipples are found on vehicles :
 

One Steering Box	One
Steering tie-rod joints.	Two
Steering Connecting rod joints.	Two

Universal joints.

Two nipples on  
each joint.

Propeller shaft splines.

3 on each shaft.

Road spring shackles (Front and  
Rear)

3 on each shackles.

Hand brake bell Crank Lever

One

Hand Brake cable guide

One

Towing attachment (if fitted)

One

(iii) Check up various oil levels and top up where  
necessary, with the correct oil.(iv) Lubricate the following with oil HD 30 using an  
oil can :

Braje servo (few drops only).

Engine and hand throttle control joints.

Clutch pedal bearings.

Brake pedal bearing.

Hand brake lever pivot rod joints etc.

**C. Mileage Task.**Check to see if any mileage task is due. If due, carry  
it out.**Appendix C to Form No. I****PARTICULARS OF THE VEHICLE**

Registered No.....

Chasis No.....

Make &amp; Type.....

Type.....

Engine No . . . . .

Type of Body .....

Load Capacity.....

No. of Cylinders.....

Battery Make .....

Voltage.....

Tyre Size... .. Front..... Rear.....

Pressure (Normal) .... Front..... Rear.....

Pressure (Cross Country)..... Front..... Rear.....

Capacity of—

Petrol Tank ... .. Reserve.....

Grade of oil used :

Engine..... Gear Box-Differential .....

Fuel Consumption Target ... .. Mile/Kilometer per liter.....

Date of receipt of Vehicle in Garage.....

Signature of Controlling Officer

certifying correctness of above entries.

## Appendix D to Form No. I

LIST OF THE TOOLS AND EQUIPMENT WITH THE  
VEHICLE

S No.	Name of Tool	Quantity received	Date of Receipt	Signature of Driver	Date on which checked	Initial of Controlling Officer.
1	2	3	4	5	6	7

## FORM No. 2

## Stock Register

Name of Panchayat Samiti.....

No. of Vehicle.... ..

Date	Petrol/ Diesel/ Powe- rine.	Oil	Spares & replace- ments.	Repair	Misce- llaneous	Purchase price	Remarks
1	2	3	4	5	6	7	8

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (GRANT OF COPIES OF RECORDS) RULES, 1963

[Notification No. F. 4/PS/Rules (5) 27/62/8166 Dt. 27-4-1963, Published in the Rajasthan Gazette, Part IV-C, Ordinary, dated 27-6-1963.]

In exercise of the powers conferred by sub-section 1 of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act No. 37 of 1959), the State Government hereby makes the following rules, namely :—

1. *Short title and commencement.*—(i) These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads (Grant of Copies of Records) Rules, 1963.

(ii) These rules shall come into force on the date of their publication in the official Gazette.

2. *Application for grant of copies*—A person requiring a copy of any proceeding or record of a Panchayat Samiti or Zila Parishad shall submit an application giving his full name and address, and as accurate a description of the proceeding or record as possible, and his position (if any) in such proceeding or record to the Vikas Adhikari of the Panchayat Samiti or the Secretary of the Zila Parishad, as the case may be.

3. *Search fee*—(a) When the proceeding of record, a copy whereof is required, pertain to any document which is more than one year old on the date of the application for its copy, a search fee, which shall be in addition to the fee chargeable under rule 4, shall be paid in cash to the Panchayat Samiti or to the Zila Parishad, as the case may be, according to the scale specified below, as soon as the application has been admitted—

(i) For searching the record of any one year for a single document or entry .... 25 paise

(ii) For searching the record of every additional year for a single document or entry .... 25 paise

*Note*—(1) A separate application need not be presented in respect of each proceeding or record of which a copy is required.

(2) Enclosure or annexures to letters accounts or other documents forming part of the documents to which they appertain shall not be reckoned separate documents for purposes of charging search fees.

(3) No search fee shall be charged in respect of the copies of documents which are not more than one year old on the date of the application for the copy.

(b) *Search fee not to be returned*—If any record is not found, the fee paid shall not be refunded, but the applicant shall be furnished with a certificate under the signatures of the Vikas Adhikari or the Secretary of the Zila Parishad, as the case may be, stating that the document applied for can not be found.

4.(a) *Grant of copies and copying fees.*—(1) If the record is found and the Vikas Adhikari or the Secretary of the Zila Parishad, as the case may be, decides to give a copy thereof or of an extract therefrom, the applicant shall deposit in cash, a fee at the rate of 50 paise for every 200 words or a part thereof.

(2) In the case of statements or extracts from registers where figures have to be copied, five figures shall be taken as equivalent to one word.

(3) In the case of maps or plans, a reasonable fee shall be fixed by the Vikas Adhikari or the Secretary of the Zila Parishad, as the case may be.

(b) *Procedure where copy not be given.*—If the Vikas Adhikari or the Secretary of the Zila Parishad, as the case may be, considers the grant of a copy or an extract from any proceedings or records objectionable, he shall reject the application by an endorsement made thereon stating briefly the reasons for doing so.

(c) *Copies prohibited.*—Except for special reasons to be noted by the Vikas Adhikari or the Secretary of the Zila Parishad, as the case may be, on the back of the application no copy shall be granted of official correspondence and reports and of a document which is itself a copy.

5. *Preparation and supply of copy.*—(a) The Vikas Adhikari or the Secretary of the Zila Parishad, as the case may be, shall intimate to the applicant the fees chargeable for the copy of any proceeding or record. On receipt of the requisite fees, he shall have the copies, extracts or tracings etc. prepared. The copies or extracts shall then be certified by him as true copy after due scrutiny and be furnished to the applicant, if he appears in person to receive them, or shall be sent to him by post, if necessary postage stamps for the purpose have been furnished by the applicant.

(b) Every copy granted under these rules shall state the date on which the application for the same was received, the date on which the copy was prepared, the date on which the



same was delivered, and also the fact that the copy had been compared by two officials one reading the original and the other reading the copy.

6. *Receipt for fees.*—A receipt signed by the Vikas Adhikari or the Secretary of the Zila Parishad, as the case may be, or any person empowered by him in this behalf shall be furnished to every person depositing search fees or copying fees.

7. *Disposal of copies not taken within time.*—(a) If the copy of a document prepared in pursuance of an application is not taken within fifteen days from the date fixed for the delivery thereof, the Vikas Adhikari or the Secretary of the Zila Parishad, as the case may be, shall publish a notice to that effect on the Notice Board of the Panchayat Samiti/Zila Parishad.

(b) If after the lapse of the time specified in the notice under this rule, the applicant does not take delivery of the copy of the document, the same will be destroyed and an entry to that effect will be made in the remarks column in the register of copying applications.

(c) If an applicant turns up after the copies already appeared to have been destroyed, he shall have to make fresh application in accordance with the provisions of the foregoing rules.

8. *Urgent copies.*—A copy for which an order has been made on an urgent application shall be delivered as a rule not later than the working day next after the day on which the order was made, on payment of double the fees as provided in rule 4.

9. *Ordinary Copies.*—A copy for which an order has been made on an ordinary application shall be delivered within seven days after the day on which the order was made, on payment of the fees as provided in the said rules.

# THE RAJ. PANCHAYAT SAMITIS (ELECTION OF MEMBERS FROM GRAM SABHAS) RULES, 1964

[Notification No. F. 1 (1)(7)V/Elec./65, dated 30-12-1964, published in Rajasthan Gazette, Part IV-C, Extraordinary, dated 30-12-64.]

In exercise of the powers conferred by sub-section (1) of section 79 read with clause (iii-a) of sub-section (1) of section 8 of Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules, namely:—

1. *Short title and commencement.*—These rules may be called the Rajasthan Panchayat Samitis (Election of Members from Gram Sabhas) Rules, 1964.

2. *Definitions.*—In these rules unless the context otherwise requires:—

(i) 'Act' means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959.

(ii) 'Members' means persons referred to clause (iii-a) of sub-section (1) of section 8 of the Act.

(iii) 'President' means president of a Gram Sabha.

(iv) 'Section' means the section of the Act.

(v) Words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

3. *Determination of the number of persons to be elected.*—

(1) The Collector shall determine the number of the members to be elected from the block in accordance with the provisions contained in clause (iii-a) of sub-section (1) of section 8.

(2) Where the number of Presidents in a block is equal to the number of members determined under sub-rule (1) all such presidents shall be declared to be members of Panchayat Samiti by the Collector.

4. *Special meeting for election.*—(1) In case the number of members determined under rule 3 is less than the number of Presidents in the Block, the Collector or any officer authorised by him shall convene a special meeting of the Presidents of the Block for electing such members, in the office of the Panchayat Samiti.

(2) Such meeting shall be presided over by the Officer convening the meeting.

5. *Notice of the meeting for election.*—(1) A notice of the date and hour of such meeting and the number to be elected shall be given to all Presidents of Gram Sabhas.

(2) Such notice shall be sent to every President of Gram Sabhas by such mode as the officer convening the meeting may consider expedient.

*Explanation.*—If the President cannot be served with a notice personally and is not found at his usual place of residence, or refuses to take delivery of the notice, the notice shall be pasted at some conspicuous place of his house and such substituted service shall be deemed to be sufficient service for the purposes of this rule.

(3) A copy of such notice shall be exhibited on the notice board of the Panchayat Samiti.

6. *Procedure for election.*—(1) Any president present in the meeting may propose in writing the name of any other president (hereinafter referred to as candidate) for election as member :

Provided that all such proposals shall be made within an hour of the commencement of the meeting and no proposal shall be entertained or received thereafter.

(2) The candidate's acceptance in writing of the proposal shall be submitted along with the proposal.

(3) The presiding officer shall read out the names of the candidates and examine the proposal one by one and afford a reasonable opportunity to the president to examine the same and raise objections thereto and shall then decide all such objections and may, either on such objection or on his own motion, reject any proposal on any of the following grounds :—

(a) that the candidate is not eligible for election as member under the provisions of the Act; or

(b) that there has been a failure in complying with the provisions of this rule.

(4) If any proposal is rejected the presiding officer shall record in writing a brief statement of the reasons for such rejection.

(5) The names of all the candidates whose nominations are found to be in order shall be read out by presiding officer.

(6) If the number of candidates is equal to or less than the number of members to be elected, all such candidates shall be declared to be duly elected as members of the Panchayat Samiti.

(7) If the number of candidates exceeds the number of members required to be elected, votes shall be taken by show

of hands and the candidate or candidates equal to number of members determined under rule 3 securing the largest number of votes shall be declared to have been duly elected :—

(i) Provided that each President present in the meeting shall have as many votes as there are number of members to be elected but shall not give more than one vote to a candidate.

(ii) Provided that in case of equality of votes, the result shall be declared by drawing of lots in the manner which the presiding officer may think proper.

(8) If there is no candidate or the number of candidates elected is less than the number of members required to be elected the presiding officer shall adjourn the meeting to another date and provisions of rule 4 and 5 and this rule shall apply.

*7. Preparation of record of proceedings and publication of result of election.*—Immediately after the meeting for election, the Presiding Officer shall :

(a) publish on the Notice Board of the Panchayat Samiti at its office a notification signed by him, stating the names of the persons declared to be the elected members and send copies of such notification to the Collector and the Government.

(b) prepare a record of the proceedings at the meeting and sign it, attesting with his initials every correction made therein, and also permit any member present at the meeting to affix his signature to such record, if he expresses his desire to do so, and forward them to the Collector.

*8. Casual vacancies :—*In the event of the office of any member becoming vacant by death, removal, resignation or otherwise under the Act, the vacancy shall forthwith be reported to the Collector, and the provisions of the foregoing rules shall mutatis mutandis apply to the filling up of such vacancy so far as may be.

# THE RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS (ELECTION OF PRADHAN & PRAMUKH) RULES, 1964

[Notification No. F.1(1) (3)V/Elec./65, dated 30.12.1964, published in Rajasthan Gazette, Part IV-C, Extraordinary, dated 30.12.1964.]

In exercise of powers conferred by sub-section (1) of section 79 read with section 12 and 45 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rule, namely :—

## PART I

1. *Short title*—These rules may be called “The Rajasthan Panchayat Samitis and Zila Parishads (Election of Pradhan and Pramukh) Rules, 1964.

## PART II

2. *Defination*.—In these rules, unless the context otherwise requires—

(i) “Act” means Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959).

(ii) “Electors” means in context of election of Pradhan, the persons specified in sub-clauses (i), (ii) and (iii) of clause (a) of sub-section (1) of section 12 and in the context of election of Pramukh, persons specified in sub-clauses (i) and (ii) of clause (a) of sub-section (1) of section 45.

(iii) “Form” means the form annexed to these rules.

(iv) “Returning Officer” means in case of election of Pradhan the Collector or a gazetted officer appointed as such by the Collector and in case of election of Pramukh, any officer appointed by the Government.

(v) “Section” means the section of the Act.

(vi) “Schedule” means the Schedule appended to these Rules.

(vii) Words and expressions used but not defined in these Rules shall have the meaning assigned to them in the Act.

### PART III

3. *Appointment of date for election of Pradhan.*—As and when it becomes necessary to hold the election for Pradhan of a Panchayat Samiti, the Government shall by notification in the Official Gazette appoint a date in this behalf.

4. *Public notice of election.*—(1) After the issue of the notification referred to in rule 3 and after the first meeting of co-option in Panchayats and Panchayat Samitis but not less than seven clear days before the date of election as notified under rule 3, the Collector shall give a public notice in Form I, calling upon the electors of Panchayat Samiti to elect a Pradhan on the date appointed by the Government.

(2) The Public notice shall also state—

- (a) the dates on which and the hours during which and the place at which the nomination papers shall be presented to the Returning Officer,
- (b) the date and the hour thereof and the place at which the nomination papers shall be taken up for scrutiny,
- (c) the date and the hour thereof by which the nomination may be withdrawn,
- (d) the date on which and the hours during which poll shall, if necessary, be taken.

Provided that such date shall not be earlier than the next succeeding day of the date fixed for withdrawal of nominations.

(3) Such notice shall be published by affixing its copies on the notice board of the Collector's office and at the offices of Panchayat Samiti and Panchayats situated within the block and where an office of Panchayat has not been established it shall be pasted at some conspicuous place at the headquarters of Panchayat.

5. *Nomination of Candidates.*—Any person may be nominated as a candidate for election to the office of Pradhan if he is qualified to be elected to that office under the provisions of the Act.

6. *Presentation of Nomination Paper.*—(1) On any of the dates, at the place and during the hours fixed under clause (a) of sub-rule (2) of rule 4, each candidate shall, either in person or by his proposer or seconder deliver to the Returning Officer a nomination paper duly completed in Form II and signed by the candidate and by two electors as proposer and seconder.

(2) Where the candidate is a member of any Gram Sabha a certificate to that effect signed by the Tehsildar concerned

or the President of such 'abha shall be filed with nomination paper.

(3) Nothing in this rule shall prevent any candidate from being nominated by more than one nomination paper but not exceeding two.

**7. Deposits.**—A candidate shall not be deemed to be validly nominated for election unless he deposits or causes to be deposited in cash a sum of one hundred rupees or where the candidate is a member of a Scheduled Caste or Scheduled Tribe a sum of fifty rupees with the Returning Officer or in the office of the Panchayat Samiti at or before the time of the delivery of nomination papers :

Provided that if a candidate files more than one nomination paper, not more than one deposit shall be required from him.

**8. Procedure on receipt of nomination paper.**—(1) On presentation of a nomination paper, the Returning Officer shall—

- (a) where the nomination paper is of a candidate who is a voter of any Panchayat, satisfy himself that the name and the voter's list number of the candidate as entered in the nomination Paper are the same as those entered in the voters list :

Provided that the Returning Officer shall permit any clerical or technical error in the nomination paper in regard to the said name or number to be corrected in order to bring it in conformity with the corresponding entries in the voters list; and where necessary, direct that any clerical or printing error in the said entries shall be overlooked;

- (b) sign thereon the certificate stating therein the date and time of presentation of nomination Paper and enter thereon its serial number;
- (c) inform the person presenting the nomination paper of the date, time and place fixed for scrutiny of nomination papers.

(2) Immediately after the time of receipt of nomination papers is over, the Returning Officer shall cause a list published at the office of Panchayat Samiti in Form III, containing names of the candidates whose nominations have been received under sub-rule (1).

**9. Scrutiny of nomination papers**—(1) The candidate and one other person duly authorised in writing by each candidate shall be entitled to be present at the time of scrutiny of nomination papers, and the Returning Officer shall give them all facilities for examining the nomination papers which have been delivered in time and in the manner laid down in rule 6.

(2) The Returning Officer shall then examine the nomination papers and decide the objections which may be made by any of them.

(3) The Returning Officer may either on such objections or on his own motion and after such summary enquiry which he thinks necessary, reject a nomination paper on any of the following grounds, namely—

- (a) that the candidate is not eligible for the election as Pradhan or suffers from any of the disqualifications as laid down under the provisions of the Act, or
- (b) that the proposer or seconder is not an elector, or
- (c) that the signature of the candidate, proposer or seconder is not genuine or has been obtained by fraud; or
- (d) that there has been a failure to comply with any of the provisions of rules 6 and 7.

(4) Nothing contained in clauses (c) or (d) of sub-rule (3) shall be deemed to authorise the rejection of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper if the candidate on the ground of any irregularity in respect of a nomination paper if the candidate is duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

(5) No nomination paper shall be rejected on the ground of any defect which is not of a substantial character.

(6) The Returning Officer shall hold the scrutiny at the place on the date and time appointed in this behalf under clause (b) of sub rule (2) of rule 4 and shall not allow any adjournment of proceedings.

(7) The Returning Officer shall endorse on each nomination paper, his decision, either accepting or rejecting it and if the nomination paper is rejected, shall record in writing a brief statement of reasons for rejecting it.

**10. Notice of withdrawal of candidature:—**(1) A candidate may withdraw his candidature any time before the hour of the day fixed under clause (c) of sub-rule (2) of rule 4 by giving a notice in writing to that effect and submitting the same to the Returning Officer personally.

(2) No person who has given a notice of withdrawal of his candidature under rule (1) shall be allowed to cancel the notice.

**11. Procedure in contested and uncontested elections.—**(1) If after the time fixed for withdrawal of candidature there remains



only one candidate, the Returning Officer shall forthwith declare him to be duly elected as Pradhan.

(2) If there is no validly nominated candidate, all proceedings in relation to elections shall be commenced afresh.

(3) If the number of contesting candidates exceeds one, a poll shall be taken.

**12. Allotment of symbols.**—(1) If poll is to be taken, the Returning Officer shall assign a symbol to each contesting candidate immediately after the hour fixed for the withdrawal of the nomination. out of the symbols mentioned in the Schedule.

(2) The decision of Returning Officer in the allotment of symbols shall be final.

(3) Immediately after allotment of symbols, the Returning Officer shall publish at the office of Panchayat Samiti a list of contesting candidates in Form IV containing their names in Hindi in alphabetical order written in Devnagri Script along with their addresses as given in the nomination papers and the symbols allotted to each candidate.

**13. Form of Ballot paper.**—(1) Every ballot paper shall be in such form as the State Government may direct and the particulars thereon shall be in Hindi Devnagri script.

(2) The names of candidates shall be printed typed or legibly written on the ballot papers in the same order as they appear in the list of contesting candidates in Form IV.

(3) If two or more candidates bear the same name, they shall be distinguished by addition of their father's or husband's names, as the case may be or in such other manner, as the Returning Officer may deem fit.

**14. Place of election.**—The election shall ordinarily be held in the office of the Panchayat Samiti and if the building of the Panchayat Samiti is not found suitable then at such other place at the headquarters of the Panchayat Samiti as the Returning Officer may select :

Provided that where the Returning Officer selects a place which is not the office of the Panchayat Samiti, he shall notify such place by affixing a notice on the notice Board of the Panchayat Samiti, and at some conspicuous part of such place.

**15. Appointment of Polling Officers.**—The Returning Officer may appoint such polling officer or officers as he thinks necessary to assist him in taking the poll but he shall not appoint any person who has been employed by, or on behalf of, or has been working for, a candidate in or about the election.

**16. List of electors.**—(1) The collector shall cause to be prepared an authentic list of electors in form V and furnish it to the Returning Officer.

(2) The Returning Officer shall, if satisfied, after such enquiry as he thinks fit that any entry is erroneous or defective in any particular or that the name of any elector has been left out from inclusion in such list, amend the entry or direct inclusion of the name.

**17. Manner of voting.**—At every election where poll is taken votes shall be given by ballot and no votes shall be received by proxy.

**18. Procedure before the commencement of poll.**—(1) The Returning Officer shall, immediately before the commencement of the poll, allow inspection of ballot box to be used at the poll to such candidates and their authorised representatives as may be present at the place of poll.

(2) The Returning Officer shall then secure and seal the box in such manner that the list for the insertion of ballot papers remain open, and shall also allow such candidates or their authorised representatives as may be present to affix their own seals, if they so desire.

**19. Admission to the place of polling.**—The Returning Officer shall exclude from the place of polling all persons except—

- (a) the polling officers and other public servants on duty;
- (b) the candidates, and one representative authorised in writing by each candidate; and
- (c) such other persons as the Returning Officer may from time to time admit for the purpose of assisting him in taking the poll.

**20. Procedure of giving ballot paper.**—Immediately before a ballot paper is issued to an elector the serial number thereof shall be recorded against the entry relating to the elector in the list referred to in sub-rule (1) of rule 16, and thereafter the ballot paper shall be delivered to him.

**21. Voting procedure.**—The Returning Officer shall cause such arrangements to be made as will ensure secrecy of ballot.

(2) The elector on receiving the ballot paper shall put a cross mark (x) on or near about the symbol and name of the candidate for whom he wishes to vote by means of the instrument supplied for the purpose:

Provided that if a voter by reason of infirmity, is unable to vote in the above manner, the Returning Officer shall, at the

request of such voter put the mark on the ballot paper according to the directions of such voter and shall cause the ballot paper so marked to be placed in the ballot box.

(3) He shall then fold the ballot paper so as to conceal his vote and deposit the same in the ballot box placed in view of the Returning Officer.

**22. Tendered votes.**—(1) If a person representing himself to be a particular elector applies for a ballot paper after any other person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity as the Returning Officer may ask, be entitled, subject to the following provisions of this rule, to mark a ballot paper hereafter in these Rules referred to as a 'tendered ballot paper' in the same manner as any other elector.

(2) Every such person shall, before being supplied with a tendered ballot paper, sign his name against the entry relating to him in a list in Form VI.

(3) A tendered ballot paper shall be the same as the other ballot papers used in election except that it shall be—

(a) serially the last in the bundle of the ballot papers to be used at such election.

(b) endorsed on the back with the words "tendered ballot paper" by the Returning Officer in his own hand and signed by him.

(4) The elector, after marking a tendered ballot paper in the voting compartment and folding it, shall, instead of putting it in the ballot box, give it to the Returning Officer who shall place it in a cover specially kept for the purpose.

**23. Identity of electors.**—Immediately before the ballot paper is delivered to an elector, the Returning Officer or the Polling Officer satisfy himself as to the identity of the elector with reference to the entry relating to that elector in the list of the electors. He shall also hear and decide then and there any objections raised in this behalf. He may refuse to issue a ballot paper to any person who declines to answer any reasonable question, put to him for the purpose of ascertaining such identity or whose identity is not established, but the ballot paper may not be refused merely on the ground of any typographical error or omission in the relevant entry of such list, if the identity of the elector is otherwise established.

**24. Close of Poll**—The Returning Officer shall close the place of polling at the hour fixed in this behalf under clause (d) of sub-rule (2) of rule 4, and shall not admit therein any elector after that hour :

Provided that all electors present at the place, before it is so closed, shall be entitled to have their votes recorded.

25. *Counting of votes.*—(1) The counting of votes shall commence immediately after the close of poll so far as possible.

(2) Votes shall be counted by or under the supervision of the Returning Officer and each candidate or one representative of each candidate authorised in writing by the candidate shall have a right to be present at time of counting.

26. *Procedure of counting and declaration of result.*—(1) The Returning Officer shall scrutinise the ballot papers and separate those which in his opinion are valid from those which in his opinion are invalid endorsing on the latter the word "rejected" and the grounds of rejection.

(2) A ballot paper shall be invalid on the following grounds:—

(i) that it bears any mark or signature by which an elector can be identified, or

(ii) that the cross mark (x) is placed against more than one name, or

(iii) that no mark is recorded thereon or the mark is so placed that it could not be ascertained for whom the vote has been given,

(iv) that it is a spurious ballot paper.

(3) Every ballot paper which is not rejected under the foregoing sub-rule shall be counted as one valid vote.

Provided that no cover containing tendered ballot papers shall be opened and no such paper shall be counted.

(4) When the counting of votes has been completed the Returning Officer shall declare to be elected the candidate to whom the largest number of votes has been given.

(5) In the event of there being equality of votes between the candidates, the Returning Officer shall draw a lot in the presence of the candidates and the candidate whose name is first drawn shall be declared to have been duly elected.

26 A. *Adjournment of poll in emergencies.*—(1) If at any election—

(a) the proceedings at the place of poll are interrupted or obstructed by any riot or open violence or it is not possible to take the poll on account of any natural calamity, or any other sufficient cause, or

(b) if any ballot box or ballot papers used at the place of election are unlawfully taken out from the custody of Returning Officer or intentionally damaged or des-

stroyed to such an extent that the result of the poll cannot be ascertained, or

(c) the ballot paper is in contravention of sub-rule (2) of Rule 13, the Returning Officer shall—

(i) in case of sub-clause (a) announce the adjournment of poll.

(ii) in case of sub-clause (b) or (c) declare that the poll already taken shall be void and announce that a fresh poll shall be taken.

(2) In every case as aforesaid, the Returning Officer shall forthwith fix the date, place and hours of polling and shall notify the same in such manner as he deems fit.

(3) In the circumstances mentioned in sub-clause (a) of sub-rule (1), the electors who have already voted at the poll so adjourned shall not be allowed to vote again.

(4) Whenever the Returning Officer adjourned the poll under sub-rule (1), he shall seal and secure the ballot box containing ballot papers used thereat, allow any candidate or his agent present to affix his seal thereon and shall then keep such ballot box in safe custody.

(5) Provisions of the foregoing rules shall as far as may be, apply to an adjourned or fresh poll.

**27. Return and forfeiture of deposit.**—(1) Except in the cases hereafter mentioned in this rule the deposit made under rule 7, shall be returned as soon as practicable after the result to election is declared.

(2) If a candidate withdraws his candidature in time, or his nomination paper is rejected, the deposit made by him or on his behalf shall be returned to the person by whom it was made, forthwith.

(3) The deposit shall be forfeited, if at the election, where the poll was taken, the candidate is not elected, and number of votes polled by him does not exceed one sixth of the total number of valid votes polled by all the candidates.

**28. Publication of result of election.**—Immediately after the declaration of the result under rule 11 or 26, the Returning Officer shall publish on the Notice Board of the Panchayat Samiti a notification signed by him stating the name of person elected as Pradhan and send a copy thereof to the Superintendent, Government Central Press, Jaipur for publication in the Official Gazette and one such copy to the Collector concerned and Director of Elections, Rajasthan, Jaipur.

**29. Packing and preservation of election record.**—(1) The Returning Officer shall then make up into packets the ballot

papers and the papers relating to the election, seal up the packets and thereon a description of the contents, the election to which they relate and the date thereof.

(2) The packets shall be retained in safe custody in the office of Collector concerned for a period of three years and shall then, unless otherwise directed by a competent Court be destroyed.

30. *Non-attendance of the candidates or their authorised representatives*—Where any act or thing is required or authorised by or under these Rules to be done in the presence of the candidate or his authorised representative, the non-attendance of any such candidate or authorised representative at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

#### PART IV

31. *Election of Pramukh of Zila Parishad*.—The provisions of rules 2 to 30 shall, as far as may be, apply in relation to the conduct of the election of Pramukh subject to the exceptions and modifications specified below :—

(a) in rule 4—

(i) sub-rule (1), shall be substituted by the following namely :—

“(i) After the issue of the notification referred to in rule 3 and after the first meetings of co-option in the Panchayat Samitis and Zila Parishad but not less than seven clear days before the date of election as notified by the said notification, the Collector shall give public notice in Form I calling upon the electors of Zila Parishad to elect a Pramukh on the date appointed by the Government.”

(ii) for sub-rule (3) the following sub-rule shall be substituted namely :—

“(3) Such notice shall be published by affixing its copies on the Notice Boards of the offices of Collector, Zila Parishad and Panchayat Samitis.”

(b) after sub-rule (2) of rule 6 the following new sub-rule shall be added, namely :—

“(2a) Where a candidate is a voter of a Municipal Council or Board a copy of the Electoral Roll of such Council or Board or a certified copy of the relevant entry of such Roll shall be filed along with the nomination paper.”

(c) In rule 7, for the words 'one hundred rupees' the words 'two hundred rupees' and for the words 'fifty rupees' the words 'hundred rupees' shall be submitted.

(b) Any reference in the said Rules to 'Pradhan' and 'Panchayat Samiti' shall be construed as references to 'Pramukh' and 'Zila Parishad'.

## FORM I PUBLIC NOTICE

[ See Rule 4 (1) ]

Election to the office of—

Pradhan, Panchayat Samiti.....  
Pramukh, Zila Parishad.....

Whereas the Government has appointed under rule 3 a date for election of Pradhan/Pramukh of Panchayat Samiti/Zila Parishad .....

.....I,.....  
.....Collector of .....  
District do hereby call upon the electors of the said Panchayat Samiti/Zila Parishad to elect a Pradhan/Pramukh therefor and give notice that;

(a) the nomination papers may be delivered between the hours of 11 in the morning and 3 in the afternoon by a candidate or his proposer or seconder to the Returning Officer.....at the places on the dates as specified below :—

(1)	(Place on)	(dates)
(2)	(Place on)	(dates)

(b) scrutiny of nominations shall take place at

(hour) on (date)

at (Place);

(c) notice of withdrawal of candidature may be delivered by a candidate to the Returning Officer before (hour) on (date) at (place);

(d) in the event of the election being contested, the poll will take place on.....  
(date) between the hours of ..... and.....  
at.....(place).

Date.....  
Place.....

Collector  
.....District.

**FORM II**  
**NOMINATION PAPER**  
*[ See Rule 6 (1) ]*

Election to the office of—  
Pradhan, Panchayat Samiti .....  
Pramukh, Zila Parishad .....

We hereby nominate.....(Name and address of the candidate) as candidate for election to the office of Pradhan/Pramukh in Panchayat Samiti/Zila Parishad .....

We have verified and do hereby declare that the said candidate:—

(i) is the resident of .....block/district as defined in sub-section (13) of section 2 of the Act.

(ii) is registered—

(a) at serial No..... in the voter's list of ward No.... of Panchayat Circle .....

or

(d) as a member of Gram Sabha of Gramdan Village..... and a certificate of his being such member is attached.

or

<sup>1</sup>(c) at serial No ..... in the electoral roll of ward No ... of .....Municipality; and a certified copy of such entry is attached; and

(iii) is able to read and write Hindi.

We further declare that both of us are electors for the election of Pradhan/Pramukh, the proposer being<sup>2</sup>..... and the seconder being<sup>2</sup>.....

1. Signature of proposer

2. Signature of Secunder.

**CANDIDATE'S DECLARATION**

I, the above named candidate give my consent to this nomination and hereby declare that I have completed ..... years of age.

Date.....

Place .....

Signature of the

Candidate

**ENDORSEMENT BY THE RETURNING OFFICER**

Serial Number ...

This nomination paper was presented to me by..... (name) at..... (date) by the candidate/proposer/seconder.

<sup>1</sup>—Applicable only in case of election of Pramukh.

<sup>2</sup>—Here insert M.P./M.L.A./Pradhan/Sarpanch/Co-opted member/Elected member, Gram Sabhas/Elected or Co-opted Panch/President of Gram Sabha whichever is applicable, with the name of constituency or Zila Parishad or Panchayat Samiti or Panchayat or Gramdan village as may be appropriate.



Date .....

Place.....

Signature of the Returning Officer.

### ORDER OF THE RETURNING OFFICER

Accepted/Rejected .....

Reasons for rejection.....

Date.....

Place .....

Signature of Returning Officer.

Received nomination paper of Shri/Shrimati .....

..... for election as Pradhan/Pramukh of Panchayat

Samiti/Zila Parishad, ..... proposed and

seconded by (1) ..... and (2) .....

respectively which was presented to me at ..... (place)

at .. ... (time) this ..... day of .....

19.... by Shri.....

Signature of the Returning Officer.

### FORM III

#### List of Nominated Candidates.

[ See rule 8.(2) ]

Pradhan, Panchayat Samiti .....

Election to the office of.....

Pramukh, Zila Parishad.....

S. No.	Name of candidate	Name of father/ husband	Address of the candidate
1	2	3	4

Date.....

Place.....

Returning Officer.

### FORM IV

#### List of Contesting Candidates

[ See Rule 12 (3) ]

Pradhan, Panchayat Samiti .....

Election to the office of .....

Pramukh, Zila Parishad .....

Serial No.	Name of candidate with address	Symbol allotted
1	2	3

Date.....

Place.....

Returning Officer.

## FORM V

List of Electors

[ See rule 16 (1) ]

Panchayat Samiti/Zila Parishad ... ..

S. No.	Name of the elector.	Father's/Husband's name.	Office held.	Name of Panchayat/ Panchayat Samiti.	Remarks.
1	2	3	4	5	6

## FORM VI

List of Tendered Votes

[ See rule 22 (2) ]

Pradhan Panchayat Samiti.....

Election to the office of.....

Pramukh Zila Parishad.....

Serial number and name of Elector.	Address of elector.	S. No. of tendered ballot paper.	S. No. of ballot paper issued to the person who has already voted.	Signature or thumb impression of person tendering vote.
1	2	3	4	5

Date

Place

Returning Officer.

## SCHEDULE

[See rule 12]

List of Symbols

- |                    |                |                   |
|--------------------|----------------|-------------------|
| 1. Horse.          | 2. Bycycle.    | 3. Crescent Moon. |
| 4. Elephant.       | 5. Lion.       | 6. Bus.           |
| 7. Railway Engine. | 8. Two Leaves. | 9. Scales.        |
| 10. Flower.        | 11. Sheep.     | 12. Cart.         |
| 13. Sparrow.       | 14. Watch.     | 15. Pot.          |
| 16. Spade.         | 17. Umbrella.  | 18. Camel.        |

# THE RAJ. ZILA PARISHAD (VACATION OF OFFICE OF PRAMUKH) RULES, 1965

[ Notification No. 4/LJ/PS/64/41-338, dated 2-1-1965, Pub in the Rajasthan Gaz., Part IV-C Ex. ord. dated 2-1-1965. ]

In exercise of the powers conferred by sub-section (1) of section 79 read with sub-section (1) of section 45 of the Rajasthan Panchayat Samiti and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following Rules; namely :—

1. *Short title.*—These Rules may be called the Rajasthan Zila Parishad (Vacation of Office of Pramukh) Rules, 1965.

2. *Definition.*—In these Rules unless the context otherwise requires:—

- (i) 'Act' means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959).
- (ii) Words and expressions used but not defined in these Rules shall have the meanings assigned to them in the Act.

3. *Vacation of seat on election as Pramukh.*—(1) If a person, who is already a member of a Municipal Board or Council established under the Rajasthan Municipalities Act, 1959 is elected Pramukh of a Zila Parishad he shall, before entering upon his office as Pramukh, resign his membership of the Municipal Board or Council and shall intimate the fact of his resignation to the Collector of the District in writing within 10 days of his election as Pramukh.

(2) In case of failure to intimate as required under sub-rule (1), the election of the person as Pramukh shall be deemed to be void and the office of Pramukh shall automatically become vacant.

4. *Vacation of office on election as member of Municipal Board or Council.*—If at any time after a person has been elected as Pramukh, and he is also chosen as a member of a Municipal Board or Council, he shall cease to be the Pramukh of the Zila Parishad and his office shall be deemed to have become vacant from the date he is so chosen as a member.

5. *Bar to function in two capacities.*—In either of the situations referred to in rules 3 and 4 above a Pramukh, so long as he is also a member of the Municipal Board or Council, shall not be eligible to function as Pramukh and attend the meeting of Zila Parishad.

# THE RAJ. PANCHAYAT SAMITIS (ELECTION OF ASSOCIATE MEMBERS) RULES, 1965

[Notification No. F. 4/LF/PS/A/64/637-931, Dt. 2-1-1965,  
Published in the Rajasthan Gazette, Part IV C, Ex., ord. dated 2-1-1965.]

In exercise of the powers conferred by sub-section (1) of Section 79 read with sub-section (1) of section 10 and section 18 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules, namely—

1. *Short title.*—These Rules may be called the Rajasthan Panchayat Samiti (Election of Associate Members) Rules, 1965.

2. *Definition.*—In these Rules, unless the context otherwise requires,—

- (i) “Act” means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act 37 of 1959).
- (ii) “Clear days” include Sundays and holidays but does not include the day of the meeting and the day of the receipt of the notice by the person to whom it is addressed.
- (iii) “Deputy Registrar” means the officer of the Co-operative Department appointed by the Government with that designation and includes an Assistant Registrar of the Co-operative Department.
- (iv) “Section ” means section of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959.
- (v) Words and expressions used but not defined in these Rules shall have the meaning assigned to them in the Act.

3. *Notice for meeting for election.*—(1) The Deputy Registrar shall within one month, of the constitution of a Panchayat Samiti under section 7 or subject to the provisions of sub-section (4) of section 7, on every occasion the Panchayat Samiti is reconstituted or a vacancy of associate member occurs, convene at the office of the Panchayat Samiti a special meeting of the Chairman of the Co-operative Societies and the Service Co-operative Societies as the case may be, after giving them a notice in writing of not less than seven clear days for election of a representative specified in clause (a) or (b) of section (1) of section 10.

(2) The notice referred to in sub-rule (1) shall state :—

- (a) number of representatives to be elected from amongst persons mentioned in clause (a) or (b) of sub-section (1) of section 10, as the case may be,
- (b) the place and date on which and the hours between which nomination papers shall be filed,
- (c) the place and date on which and the hours between which the nomination papers will be taken up for scrutiny,
- (d) the place and date on which and the hours between which the votes of the members will be taken, should there be a poll.

(3) Such notice shall be sent by registered post or by such other mode as the Deputy Registrar may consider expedient to every Chairman at his ordinary place of residence,

(4) such notice shall also be published by affixing it on the Notice Board of the Panchayat Samiti at its office.

4. *Deputy Registrar etc. to preside over the meeting*—The meeting for election shall be presided over by the Deputy Registrar (hereinafter referred to as the Returning Officer).

5. *Filing of nomination papers.*—(1) The nomination of every candidate shall be made by means of a nomination paper in the form prescribed in Schedule I.

(2) Every nomination paper shall be signed by two members as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election.

(3) Each candidate shall be nominated by a separate nomination paper.

(4) Every nomination paper shall be presented by the candidate or his proposer or seconder on the date, at the place and during the hours specified in the notice for filing nomination papers.

(5) Immediately after the time for receipt of nomination papers is over, the Returning Officer shall cause to be published a list, in the form prescribed in Schedule II containing the names of the candidates whose nomination have been received under the preceding sub-rule.

6. *Scrutiny of nomination papers.*—(1) On the date appointed for the scrutiny of nominations, the candidate, his proposer and seconder may attend at such place and time as is specified in the notice for the scrutiny of nomination papers and the Returning Officer shall give such person all reasonable facilities to examine the nomination papers of all the candidates which have been received as aforesaid.

(2) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made at the time of any nominations and may, either on such objection, or on his own motion, and, after such summary enquiry, if any, as he may deem necessary, reject any nomination on any one or more of the following grounds:—

(a) that the candidate is not eligible for election under section 10,

(b) that the proposer or seconder is a person who is not a Chairman of the Co-operative Society or the Service Co-operative Society as the case may be :

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder or any other particulars relating to the candidate or his proposer or seconder if the identity of the candidate, seconder or proposer as the case may be, can otherwise be established beyond reasonable doubt.

(3) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected, shall record in writing, a brief statement of reasons for such rejection.

7. *Publication of the list of nominated candidates.*—The Returning Officer shall before the time fixed for the meeting for election, cause to be published a list containing the names of validly nominated candidates in the form prescribed in Schedule II, by affixing it on the Notice Board of the Panchayat Samiti at its office.

8. *Withdrawal of candidature.*—A candidate may withdraw his candidature any time before an hour fixed for commencement of the poll by giving a notice in writing to that effect to the Returning Officer.

9. *Procedure after publication of list of validly nominated candidates.*—(1) If the number of candidates is equal to the number of vacancies, the Returning Officer shall declare such candidates duly elected as associate members.

(2) If no nomination is received the Returning Officer shall adjourn the meeting to another date.

(3) If the number of candidates exceeds the number of persons to be elected an election shall be held by ballot.

10. *Voting and result of Election.*—(1) The Returning Officer shall cause such arrangements to be made as will ensure the secrecy of the ballot.

(2) Every member wishing to vote shall be supplied with a ballot paper on which names of duly nominated candidates, who have not withdrawn their candidature, shall be printed, typed cyclostyled or legibly written in Hindi in the alphabetical orders of their names in the form prescribed in Schedule IV.

(3) The voter shall place a cross mark (X) in column 2 of the ballot paper duly authenticated by seal and signatures of the Returning Officer against the name of candidate for whom he wishes to vote with a pencil of any colour red, blue or black whichever is placed in the polling compartment and may be available at the polling station.

Provided that if a voter is illiterate or by reason of infirmity is unable to vote in the above manner, the Returning Officer shall, at the request of such voter, make the mark on the ballot paper according to the directions of such voter and shall cause ballot paper so marked to be placed in the ballot box.

(4) He shall then fold up the ballot paper so as to conceal his vote and deposit the same in a ballot box placed in the view of the Returning Officer.

(5) The ballot box shall be so constructed that the ballot papers can be introduced therein but cannot be withdrawn therefrom without the box being unlocked.

(6) Every person wishing to record his vote shall do so in person and not by proxy.

(7) The Returning Officer shall, after the voting is over, count the votes, in the presence of such members as may be present and declare the result in the following manner:—

- (a) The candidate who is found to have obtained the largest number of valid votes, shall be declared to have been elected.
- (b) In the event of there being an equality of votes between the candidates, the Returning Officer shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected as associate member.

11. *Validity of ballot paper.*—Any ballot paper which bears any mark or any signature of any voting member by which the voter can be identified or which does not bear the official seal and signatures as mentioned in sub-rule (3) of rule 10 or in which the mark (+) is placed against more than one name or in an ambiguous manner shall be invalid.

**12. Preparation of record of proceedings and publication of result of election.**—Immediately after the meeting for election of associate members, the Returning Officer shall :—

(a) prepare a record of the proceedings at the meeting and sign it, attesting with his initials every correction made therein, and also permit any member present at the meeting to affix his signature to such record, if he expresses his desire to do so;

(b) publish on the Notice Board of the Panchayat Samiti at its office a notification signed by him, stating the name of persons elected as associate member and send a copy of such notification to the Collector and the Government.

**13. Packing and preservation of election record.**—(1) The Returning Officer shall make up into separate bundles—

- (i) Such of the ballot papers as have been accepted valid,
- (ii) the remaining ballot papers which have been rejected as invalid, and
- (iii) all other record including nomination papers etc.

(2) He shall then make up the above three bundles into one packet and seal the packet noting thereon the description of the contents, the election to which they relate and the date thereof.

(3) The packets shall be retained in safe custody in the office of the Collector concerned for a period of three years and shall then, unless otherwise directed by a competent court, be destroyed.

**14. Production and inspection of election papers.**—While in the custody of the Collector, the packets of election papers shall not be opened and their Contents shall not be inspected by, or produced before, any person or authority except under the orders of a competent court.

**16. Filling up of vacancies of Associate Members.**—Any vacancy occurring in the office of an associate member before the expiration of the terms of office of the Panchayat Samiti as provided in sub-section (1) of section 14 or clause (f) of sub-section (2) of section 14 shall be filled by election of another person in the manner provided in section 18.

Provided that the meeting of such election shall be convened by the Deputy Registrar within one month of the occurrence of such vacancy.



# SCHEDULE I

( See sub-rule (1) of rule 5 )

Nomination Form for election of Associate Members of Panchayat Samiti ( for the seat mentioned in clause .....of sub-section (1) of section 10 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 for..... (give description of the seat).

1. Name of the Panchayat Samiti.
  2. Full name of the candidate.
  3. Father's or Husband's name.
  4. Age.
  5. Sex.
  6. Address.
  7. Full name and address of the proposer.
  8. Full name and address of the Secunder.
1. Signature of the proposer.      2. Signature of the Secunder.
- Place..... Place.....
- Date..... Date.....

## CANDIDATES DECLARATION

I, the above named candidate, give my consent to this nomination and hereby declare that I do not hold any of the disqualifications enumerated in section 15 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 and that I am qualified to be a candidate for election of Associate Member to the Panchayat Samiti under the provisions of the said Act.

Place..... Signature of the candidate.

Date.....

## ENDORSEMENT BY THE RETURNING OFFICER

Serial Number .....

This nomination paper was presented to me by.... (Name) at..... (date and hour).

Place.....

Date..... Signature of the Returning Officer.

## ORDER OF THE RETURNING OFFICER

Accepted/Rejected.....

Reasons for rejection .....

Place.....

Date..... Signature of the Returning Officer.

Received nomination paper of Shri..... for election as an Associate Member of ..... Panchayat Samiti proposed and seconded by (1)..... and (2)..... respectively, which was presented to me at..... (place) at..... (time)

This ..... day of ..... 19..... by Shri.....

Signature of the Returning Officer.

## SCHEDULE II

(See Sub-rule (5) of Rule 5)

List of candidates proposed for election as Associate Members of Panchayat Samiti.

S. No.	Name and description of candidate.	Address	Sex	Remarks
--------	------------------------------------	---------	-----	---------

1.

2.

3.

Place.....

Date.....

Signature of the Returning Officer.

## SCHEDULE III

(See Rule 7)

List of candidates validly nominated for election as Associate Members of a Panchayat Samiti.

S. No.	Name and description of candidate	Address	Remarks-
--------	-----------------------------------	---------	----------

1.

2.

3.

Place.....

Date .....

Signature of the Returning Officer.

## SCHEDULE IV

( See Sub-rule (2) of Rule 10 )

## BALLOT PAPER

.....Panchayat Samiti .....

Signature of the Returning Officer.

S. No.	Name of the candidate with the name of father or husband and residence	For mark by voter.
--------	--	--------------------

1.

2.

3.

# RULES FOR GRANT-IN-AID TO PERSONS BELONGING TO SCHEDULED TRIBES, SCHEDULED CASTES & DENOTIFIED TRIBES FOR CONSTRUCTION & REPAIR OF HOUSES

[Notification No. F. 13 (10) SW/60 dated 13-12-1961, published in Rajasthan Gazette, Part IV-C, Ordinary, dated 25-1-1962.]

The Government of Rajasthan is hereby pleased to make the following rules for the grant-in-aid for the construction and repairs of houses to persons belonging to Scheduled Tribes, Scheduled Castes and Denotified Tribes :

Rules for the grant-in-aid to persons belonging to Scheduled Tribes Scheduled Castes, and Denotified Tribes for the construction and repairs of houses.

1. These rules may be called "Rules for grant-in-aid to persons belonging to Scheduled Tribes, Scheduled Castes and Denotified Tribes for construction and repairs of houses.

2. These rules shall come into force with effect from the date of their publication in the Rajasthan Gazette.

3. In these rules unless and until the context otherwise requires:

(i) "Government" means the Government of Rajasthan.

(ii) "Director" means the Director of Social Welfare Rajasthan.

(iii) "Assistant Director" and "Social Welfare Officer" means the Assistant Director and Social Welfare Officer of the Social Welfare Department of Rajasthan.

(iv) "Municipal Board" means the Municipal Board established or deemed to be established under the Rajasthan Municipalities Act, 1959.

(v) "Panchayat Samiti" shall mean the Panchayat Samiti constituted under the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959.

(vi) "Sanctioning Authority" means the authority defined in Rule 5.

4. The Grant-in-aid under these rules shall be sanctioned for the construction and repairs of houses.

5. (i) Applications for the grant-in-aid under these rules shall be made to the Panchayat or Municipal Board in whose jurisdiction the house is to be constructed. The Panchayat or Municipal Board shall forward the same with its recommendation to the sanctioning authority as follows:—

(a) For rural areas—

(1) Panchayat Samiti concerned to the extent of funds allotted to them

(2) Director in all other cases.

(b) For Municipal areas : Director.

(ii) Applications to be sanctioned by the Director shall be forwarded through the Social Welfare Officer and the Assistant Director concerned.

(iii) Applications shall be accompanied with a certificate from Revenue/Municipal/Urban Improvement authority in regard to applicants title to the land on which the house is to be constructed.

6. (i) The grant-in-aid under these rules may be sanctioned to any person or group of persons belonging to Scheduled Tribes in Rajasthan in case of grant from funds provided for the welfare of Scheduled Tribes.

(ii) Any person or group of persons belonging to Scheduled Castes in Rajasthan in case of grant from the funds provided for the welfare of Scheduled Castes.

(iii) Any person or group of persons belonging to Denotified Tribes in Rajasthan in case of grant from the funds provided for the welfare of Denotified Tribes.

7. The rates of grant-in-aid to be sanctioned under these rules shall be as follow :—

(i) For construction of pucca house at a rate of Rs. 750/- each.

(ii) for construction of kaccha house at the rate of Rs. 500/- each.

(iii) for repairs upto half of the amount indicated in (i) and (ii) above, and shall be subject to the following conditions :

(i) The sanctioning authority shall satisfy itself as to the applicants title to the land on which the house is to be constructed

(ii) The house shall have to be completed within six months from the date of receipt of the grant. Provided that the period may be extended upto a further six months by the Director in cases where he is satisfied in regard to the reasons of delay.

(iii) The amount of grant-in-aid paid under these rules shall be fully utilised for the purpose for which it has been granted. Any unutilised amount shall have to be surrendered within a further period of one month failing which the amount would be recovered from the grantee.

(iv) The grantee shall have no right to encumber or alienate the houses constructed with this grant-in-aid.

(v) The grantee shall execute a bond in the form prescribed.

(vi) The grant-in-aid shall be sanctioned subject to availability of funds.

8. The Director and Panchayat Samiti shall exercise following powers in sanctioning grant-in-aid :—

(i) Panchayat Samiti      Full powers within their jurisdiction subject to funds allotted by the Director.

(ii) Director      Full Powers.

9. In case of non-observance of any of the conditions laid down in these rules, the entire amount advanced shall be recovered as if it were arrear of land revenue under the P. D. R. Act.

10. The sanctioning authority shall be responsible after disbursement of the grant-in-aid to the grantee concerned to furnish to the Accountant General or Examiner, Local Fund Audit Department as the case may be, the certificate of utilisation of the grant and completion of the work according to rules.

# Rules for Grant of Relief in Cases of Natural Calamities by Zila Parishads & Panchayat Samitis

[ Notification No. F. II (52) RO/Fire/59, dated 30-12-1959 published in the Rajasthan Gazette, Part IV-C, Ord., dated 25-2-1960 ]

The Rules regarding grant of rate of viz. grants-in-aid and rehabilitation loans to the sufferers of natural calamities e. g. floods, fire, earthquake etc., are hereby published for general information. These rules shall be applicable in rural area only. As regards municipal areas the old rules issued by the Government in G. A. D. vide their No. F.21 (1) GA/A/52, dated 24-3-55 and Government in Revenue Department No. F.13 (31) Rev./B/58, dated 5-6-58 will continue as usual.

1. Terms and conditions to grant of Gratuitous relief to sufferers of natural calamities:—Any gratuitous relief or loans to be granted in cases of natural calamities will be limited to what is absolutely necessary to meet the immediate requirements of food and shelter. The extent of loss is not a criteria for any assistance. If the sufferer is still in a position to maintain himself and those directly dependent upon him there is no case for grant of gratuitous relief as such.

2. Every Panchayat Samiti may set up a fund to be collected from Philanthropists and private individuals and to be utilised for the purpose of affording assistance to the sufferers within its jurisdiction. The Panchayat Samiti may grant relief wholly out of this fund or if any money has been placed at its disposal by the Zila Parishad or the Government to supplement assistance given from its funds by grants out of such money or wholly from such money which is placed at its disposal till such time as it is able to set up a fund of its own. For each donation received from any private individual receipt will be issued by the Vikas Adhikari and the money shall be lodged in the nearest Government Treasury or Sub-Treasury wherever it may have opened its account for the fund. At the end of the each financial year the Vikas Adhikari will furnish a statement in the proforma given in Appendix A to the Zila Parishad who will consolidate all similar statements received and advise the final position for the year to the Government.

3. Before granting relief Panchayat Samiti or any other person or authority authorised by it to act on its behalf will satisfy itself:—

- (i) that the calamity was accidental. In case of village fire the possibilities of incendiarism will be investigated and reported to the District Magistrate;
- (ii) that it is sufficiently serious to justify the grant of relief;
- (iii) that in each individual case for which relief is being granted genuine distress exists owing to the loss of the persons entire property and his being in danger of starvation or going without shelter, if prompt relief is not granted.

4. Immediately on receipt of information about any outbreak of fire or any other natural calamity the Pradhan will take action under section 25 of the Rajasthan Panchayat Samiti and Zila Parishads Act, 1959. After that arrangements may be made for relief that is necessary, on the spot immediately such as—

- (i) Shelter for the homeless ;
- (ii) Fodder for the cattle of those sufferers whose fodder has been destroyed ;
- (iii) free food for persons who have been left with no means to purchase the same.

5. Immediately after taking the preliminary steps as mentioned the Pradhan or his nominee would prepare a statement of the damages caused to the various families in the following form:—

Village.....Tehsil.....  
Panchayat Samiti.....District .....

S. N.	Name of the head of the family with in number of family persons.	Value of belongings damaged or destroyed by the incident in rupees.	Crop.	Cattle.	Buildings & other household belongings.	Total of columns 3, 4, 5.	Remarks
-------	--	---	-------	---------	---	---------------------------	---------

1.	2.	3.	4.	5.	6.	7.
----	----	----	----	----	----	----

6. The Pradhan/Vikas Adhikari will draw up a comprehensive report about the incident (giving a rough sketch of place of occurrence detailing the causes of the incident and immediate relief provided or proposed to be provided to the sufferers.

Any special features of the incidents, such as loss of lives to cattle or human beings etc. should be specifically mentioned in the report which would then be submitted by the Pradhan/Vikas Adhikari to the Panchayat Samiti.

The Samiti will forward the report immediately to the Collector with his own observations and remarks.

If the incident is of a very serious nature the Pradhan may visit the spot on receipt of first information and send a report to the Pramukh of the Zila Parishad.

7. In addition to the grant of gratuitous relief to the sufferers, rehabilitation loans may also be given.

The aim of advancing rehabilitation loans to the sufferers of natural calamities is to relieve the calamity stricken to a certain extent. The loans can be given for the following purposes :—

- (a) Shelter ( for re-construction of houses damaged by the calamity including acquisition and development of site. )
- (b) Food.
- (c) Fodder.
- (d) Repairs of wells.
- (e) Soil conservation measures, and
- (f) Agricultural purposes, such as for the purchase of bullocks; seeds, implements, manure etc.

8. Such loans are to be advanced only to persons who have been rendered homeless and have lost their belongings and have no other source to rehabilitate themselves. The extent of loans to be given per family is prescribed as below:-

(1) Shelter (house building loans)	.....	Rs. 500/-
(2) Food	.....	Rs. 100/-
(3) Fodder	.....	Rs. 100/-
(4) Repairs to wells	.....	Rs. 300/-
(5) Soil conservation measures	.....	Rs. 100/-

### Agricultural Purposes :—

- (a) for areas where agriculture is the chief occupation—

- |     |                                   |      |     |           |
|-----|-----------------------------------|------|-----|-----------|
| (1) | Purchase of bullocks              | ...  | ... | Rs. 500/- |
| (2) | Purchase of seeds                 | .... | ..  | Rs. 100/- |
| (3) | Purchase of implements and manure | .... | ... | Rs. 100/- |

- (b) for areas where agriculture is not the chief occupation :—

purchases of cows or sheepgoats or camels .... Rs. 700/-



9. The ceilings for loans for different purposes have been fixed as mentioned above. The actual amount of loans should be co-related to the loss suffered by the family. The loans will be given only to persons in real need and may be given in instalments if considered necessary.

10. The amount of loans will be recoverable as under—

(a) No recovery may be made for the first year after the date of disbursement.

(b) Loans for houses building, repairs to wells and purchase of bullocks will be recoverable in not more than 12 half yearly instalments along with the realisation of land revenue of Kharif and Rabi. Other loans will be recovered in same manner in not more than four half yearly instalments.

11. The loans will bear nominal rate of interest, i. e. 3% per annum.

12. Generally the procedure applicable to revenue advances, e. g. Taccavi loans, will be applicable to these loans.

13. Necessary agreement by those to whom loans are advanced and security bonds by the persons, who stand as surity are to be executed for these loans on the lines prescribed in the case of ordinary taccavi advances.

14. The Panchayat Samitis will also make arrangements to ensure that the loans advanced are properly and fully utilised for purposes for which they are given and will arrange for periodical verification of such utilisation.

15. Penal interest at the rate of 6% per annum will be charged on all instalments not paid and re-payment not made on due date. This condition will be specifically provided for in the loan agreements.

16. The Loans that are granted by the Government to the Panchayat Samitis for disbursement to the loanees will be recoverable from the Panchayat Samitis according to the terms of the loan irrespective of the fact whether it is recovered from the loanees or not.

17. The Panchayat Samitis will apply for the loans they require to the Development Department.

APPENDIX A

Statement showing the receipts of Donation & other details thereof

S. No.	Name of Doner	Address of Doner	Amount Donated	Amount received		Date of receipt	Date on which the amount Deposited in Treasury	Amount spent		Balance		Remarks
				Cash	Kind			Amount spent	Kind	Cash	Kind	
1	2	3	4	5	6	7	8	9	10	11	12	

*Notifications under*

**THE RAJ.-PANCHAYAT SAMITIS & ZILA PARISHADS  
ACT, 1959**

[Notification No. F. 45 (173) (187) Coord./DD/59, dated 10-9-59, published in Rajasthan Gazette, Part IV-C, Extraordinary, dated 10-9-59.]

In exercise of the powers conferred by sub-section (1) and (2) of section 6 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959; (Act No. XXXVII of 1959), the State Government hereby declares that the following shall be the blocks for the purpose of the said Act and shall be known by the name specified in column (3) with limits defined in column (4) of the Schedule below with effect from the date of the publication of this notification in the official Gazette.

SCHEDULE

Limits of the block  
(4)  
Portion included in the Block  
4(b)

S.No. Name of District. Name of the Block. Name of Tehsil.  
1 2 3 4(a)

Entire Tehsil. ;

Nokha.  
Loonkaransar.  
Kolayat.  
Bikaner.  
Sardarshahar.  
Ratangarh.  
Rajgarh.  
Taranagar.  
Churu.  
Sujangarh.  
Doongargarh.  
(a) Raisinghnagar.  
(b) Anoopgarh.  
Karanpur  
(a) Ganganagar.

1. Nokha  
2. Loonkaransar.  
3. Kolayat.  
4. Bikaner.  
5. Sardarshahar.  
6. Ratangarh.  
7. Rajgarh.  
8. Taranagar.  
9. Ratannagar.  
10. Sujangarh.  
11. Doongargarh.  
12. Raisinghnagar.  
13. Karanpur.  
14. Sadulshahar.

1. Bikaner.

2. Churu.

3.

Villages included in the patwar circles of (1). 8HH (2). Jandwala (3). 1BB (4). Lathanwali (5). 17 L. N. P. (6). Ladhawal (7). Ganesgharh 'B' (8). Ganesgharh 'A' (9). Lalgarh 'B' (10). Lalgarh 'A' (11). Banwala (12). Bhagsar (13). 5 L.N.P.  
Villages included in the Patwar circles of (1) Pukka Bhadwan; (2) Morjand Khari; (3) Pukka Sarnan; (4) Jandwali; (5) Maniwali; (6) Matili Jatan; (7) Alipura; (8) Shahpini;

(b) Hanuman-garh.

(9) Dholipal; (10) Haripura; (11) Mukera (except village Dingar); (12) Nathwana (except village Nathwana); (13) Rasuwal.

Entire Tehsil excluding villages included in 13 patwar circles of this tehsil covered by Sadulshahar Block.

Entire Tehsil excluding villages covered by Sadulshahar Block.

Entire Tehsil.

—do—

—do—

—do—

Villages included in the patwar circles of 1. Birsanghpur 2. Bhagoda 3. Nayana 4. Khanpur 5. Kolgaon 6. Ghasoli 7. Mothuka 8. Dhamukhera 9. Titrka 10. Macha 11. Kishangarh 12. Bolni 13. Ismailpur 14. Ratakhurd 15. Jilota 16. Patan Mewan 17. Noornagar 18. Kherthal 19. Manchroli 20. Bhageri 21. Alamdika 22. Baskirpalanagar 23. Bambora 24. Bhagora.

Villages included in the patwar circles of 1. Jajore 2. Bhajera 3. Bhadurpur 4. Chikani 5. Karoli 6. Sirmoli 7. Jharkhera village of Jharkhera patwar circle 8. Sotka village of Sotka patwar circle 9. Nangala Samawadi and Rasis of Tulara patwar circle 10. Raibka village of Raibka patwar circle.

Entire Tehsil.

Villages included in the patwar circles of 1. Kotkasim 2. Ladpur 3. Bilahedi 4. Jodia 5. Budhibawal 6. Bhonkar 7. Bhagana 8. Uooli 9. Kanadka 10. Pur 11. Karwarh 12. Palpur 13. Khedi 14. Johnal 15. Nangal Salia 16. Zodka 17. Mirzapur 18. Harsauli 19. Bhagerikhurd 20. Patalia 21. Kirwari.

Ganganagar.

Hanumangarh.

Nohar.

Suratgarh.

Padampur.

Bhadra.

(a) Kishangarhbas.

(b) Alwar.

Tijara

Kishangarhbas.

15. Mirzewala

16. Hanumangarh-town.

17. Nohar.

18. Suratgarh.

19. Padampur

20. Bhadra.

21. Kishangarhbas.

4. Alwar.

22. Tijara.

23. Kotkasim.

4(b)

4(a)

3

Lachmangarh.

Govindgarh (H.Q.)

2

Alwar.  
Lachmangarh.

Villages included in the patwar circles of 1. Manjpur 2. Khohra Malavli 3. Deevli 4. Sunari 5. Bichgaon 6. Pachmangarh 7. Sorahi 8. Harsana 9. Lili 10. Baroda Meo 11. Dhund 12. Deenar 13. Ghat 14. Bootoli 15. Gondudua 16. Molia 17. Javli 18. Khudyana 19. Govindgarh 20. Bhainsdawat 21. Rambas 22. Malpur 23. Barwer 24. Indupura 25. Kheda Mehmood 26. Niana 27. Ratna 28. Pahari 29. Sirmor 30. Manjpur Januvi 31. Khera Mangal Singh 32. Jhala Tala. Entire Tehsil excluding patwar circles of this tehsil covered by Govindgarh Block.

Lachmangarh.

25. Kathumar.

Entire Tehsil.

Mandawar.

26. Mandawar.

Alwar.

27. Ramgarh.

Villages included in the Patwar circles of 1. Sainthli 2. Khoh 3. Milakpur 4. Khedi 5. Lalawadi 6. Alayada 7. Chomu 8. Bijwa 9. Niwala 10. Khilora 11. Ramgarh 12. Piprola 13. Bandoli 14. Rasgan 15. Moonpur 16. Naogona 17. Valampur 18. Mubarakpur 19. Pat 20. Raghunathgarh 21. Kohara Kallan 22. Pali 23. Nakich 24. Dhaneta 25. Suheda 26. Shekpur 27. Ragwara 28. Sardoli 29. Nagla Wazir 30. Bhagla 31. Chakrara 32. Desuda 33. Bamboli 34. Asara 35. Uatwal 36. Khedli Sayad 37. Khutetan Kalan 38. Bhazit 39. Kakrali Bhuaka Villages of Rabi ka patwar circle and Kaohmafi todli, Mukandbas and Kota Khurd of Sotka Patwar circle. Remaining villages of this tehsil uncovered by Ramgarh and

Alwar.

28. Umrain.

Kishangarhbas Blocks.

Villages included in the patwar circles of 1. Tehla 2. Nadu 3. Khoh 4. Mallana 5. Talaw 6. Bhargarh 7. Wirkhari 8.

Rajgarh.

29. Rajgarh.

Baldeogarh 9. Syaloota 10. Ghatna 11. Bigota 12. Devki 13. Sakat 14. Nathalwada 15. Neemla 16. Rajpur 17. Thana 18. Bhot 19. Bhigwara 20. Karoth 21. Dhamred 22. Dubbi.

30. Reni.	Rajgarh.	Remaining 20 patwar circles not covered by Rajgarh Block.
31. Behror.	Behror.	Villages included in the patwar circles of 1. Gathrana Kallan 2. Basi 3. Gandala 4. Moodwal 5. Naregara Kallan 6. Nagal Khodia 7. Khohrana 8. Maharajwas 9. Khohri 10. Machil 11. Babrad 12. Karoda 13. Dehani 14. Behrod 15. Hamidpur 16. Tasingh 17. Gunti 18. Shekhpur 19. Pahari 20. Mohabatpur 21. Jaguwas 22. Dudaria.
32. Neemrana.	Behror.	Villages included in the remaining 17 patwar circles uncovered by Behror Block.
33. Bansur.	Bansur.	Entire Tehsil.
34. Thanagazi.	Thanagazi.	-do-
35. Deeg.	Deeg.	Entire Tehsil excluding Jhone patwar circle covered by Nagar Pahari Block.
36. Basseri.	Basseri.	Entire Tehsil.
37. Nagar Pahari.	1. Nagar.	-do-
	(H.Q. Nagar). 2. Kama.	Khedla naobad, Nakatpur, Gopalgarh, Bayana, Bakasua, Pali, Piprol, Madhogarhs Huseka, Pandeka, Kasba Pahari Burana, Burani, Berkhera, Mahmaddpur, Bolaka, Gadli, Bodoli, Nayda, Pulsu, Bhadaka, Maliki, Pipalkhera, Chandupura, Handunagar, Khathuwar, Dondri, Ladamka, Fakarpur, Khandewla, Gangora, Alampur, Sudpur, Anhor, Mandot, Pathrali, Shekhpur, Rayabka, Bhuapurkhor, Darishpur, Gahagwadi, Kulyana, Solapurpli, Iklera, Ramph, Abhepur, N. Aramsingh, Jatoli, Matuki, Badh, Uachki, Amruka, Chhapra, Gajuka villages.
38. Rajakhera.	3. Deeg.	Villages included in the patwar circle of Jhone.
	1. Rajakhera.	Entire Tehsil.
	2. Dholpur.	Villages included in the patwar circle of 1. Shahpura 2. Jasupura 3. Kusendi 4. Kherli 5. Marha Bhau 6. Mangrol
5. Bharatpur.		

39. Kama.	Kama.	7. Chaprauti 8. Dulhara 9. Bareh 10. Mori 11. Malikpura
40. Weir.	Weir.	12. Jatoli 13. Bamroli 14. Damanpur and 15. Sanda.
41. Bayana.	Bayana.	Kama Tehsil excluding villages of Sub-Tehsil Pahari covered
42. Roopbas.	Roopbas.	by Nagar Pahari Block.
43. Dholpur.	Dholpur.	Entire Tehsil
		-do-
44. Bari.	Bari.	-do-
45. Nadbai.	Nadbai.	Entire Tehsil excluding the Patwar circles covered by Raja-
46. Kumber.	Bharatpur.	Entire Tehsil
47. Sear.	Bharatpur.	Khara Block.
48. Bassi.	Bassi.	Entire Tehsil.
49. Sanganer.	Sanganer.	-do-
50. Jaipur (H. Q.	Jaipur.	-do-
Jhotwara).		-do-
51. Phagi	Phagi.	Entire Tehsil excluding villages included in Dudu Block.
52. Bandikui	Baswa.	-do-
53. Jobner (H. Q.	Phulera.	Entire Tehsil excluding villages included in Dudu Block.
Sambhar).		Entire Tehsil.
54. Moznabad.	(a) Dudu.	Villages included in the patwar circles of (1) Korsina (2)
	(b) Phulera.	Hironda (3) Bardoti (4) Aselpur (5) Akodi (6) Kandewali
		(7) Srirampura (8) Naraina (9) Salawata (10) Dhani Baroj
		excluding Peepi ka Bas village (11) Kallakh excluding
		Kallakh village (12) Phulera excluding Phulera and Itawa
		villages.



Amber.

55. Govindgarh.

(a) Amber.

56. Amber.

(b) Jamawa  
Ramgarh.

Jamwaramgarh.

57. Jamwaramgarh.

Bairath.

58. Shahpura.

(a) Bairath.

59. Bairath.

(b) Kotputli.

Kotputli.

60. Kotputli.

Sikrai.

61. Sikrai.

Lalsote.

62. Lalsote.

Dausa.

63. Dausa.

Chaksu.

64. Chaksu.

Villages included in the patwar circles of 1. Nagal Govind  
2. Hasterha 3. Alessar 4. Govindgarh 5. Dnabolai  
6. Singod Kalan 7. Khajzoli 8. Nagal Koja 9. Tigeria  
10. Udaipur 11. Nagal Birda 12. Mohan Kalan 13. Samod  
14. Cheetwadi 15. Morija 16. Chomu 17. Tonkrara  
18. Kala Dehra 19. Ghinai 20. Jaipura.

Villages included in the remaining 17 patwar circles of  
this tehsil uncovered by Govindgarh Block.

Villages included in the patwar circles of 1. Dundal  
2. Chetana 3. Manpur Macheri 4. Jaipur Khichir  
5. Bilochoi 6. Choup 7. Bagwara 8. Lavana 9. Khankrel  
10. Achrol 11. Kalwar Kalan 12. Chandwaji 13. Arnia.  
Village included in the remaining 47 patwar circles of this  
tehsil uncovered by Amber Block.

Entire Tehsil excluding 15 Patwar circles covered by  
Bairath Block.

Villages included in the patwar circles of 1. Dhanawas  
2. Naurangpura 3. Satana 4. Med Shyampura 5. Saiwad  
6. Rampura 7. Jajakalan 8. Bhabhru 9. Jawanpura  
10. Bairath 11. Kunara 12. Kakrana 13. Luhakana Kburd  
14. Jaisinghpura 15. Antela.

Villages included in the patwar circles of 1. Khelna  
2. Pragpura 3. Paota 4. Badnagar 5. Mandha 6. Panchodala.

Entire Tehsil excluding six patwar circles included in  
Bairath Block.

Entire Tehsil.

—do—

—do—

—do—

4(b)

4(a)

3

2

Jhunjhunu.

65. Jhunjhunu.

7. Jhunjhunu.

Jhunjhunu.

66. Alsisar.

Khetri.

67. Buhana.

Khetri.

68. Khetri.

Udaipurawati.

69. Udaipurawati.

Udaipurawati.

70. Nawalgarh.

Chirawa.

71. Chirawa.

Chirawa.

72. Surajgarh.

Villages included in the patwar circles of 1. Kuhadu  
 2. Madawa 3. Ajitgarh 4. Bhojasar 5. Hetamsar 6. Shekhar  
 asar 7. Angasar 8. Siriyasar Kalan 9. Bakra 10. Bas  
 Nanag 11. Indail 12. Jhunjhunu 13. Ajarikhurd 14. Islam-  
 pur 15. Budana 16. Bagar.

Entire Tehsil excluding patwar circles covered by Jhun-  
 jhunu Block.

Villages included in the patwar circles of 1. Gadakhara  
 2. Gardhanakhurd 3. Moisada & Purani 4. Sanwloed  
 5. Badbar 6. Buhana 7. Kuharwas 8. Lalamandi 9. Baloth  
 10. Raipur 11. Bhir 12. Pachheri-Kalan 13. Lambijat  
 14. Gujarwas 15. Singhana 16. Dumolikhurd.

Remaining 19 patwar circles of this tehsil uncovered by  
 Buhana Block.

Villages included in the patwar circles of 1. Chhau  
 2. Shithal 3. Bhatwar 4. Bamlas 5. Pesana 6. Bhorki  
 Udaipur 8. Gudha 9. Gadhla Kalan 10. Gura 11. Manda-  
 wara 12. Chhapoli 13. Mankas 14. Pachlangi and  
 4 villages of Girdharpura.

Villages included in the remaining patwar circles of the  
 tehsil excluding 4 villages of Girdharpura patwar circle  
 covered by Udaipurawati Block.

Villages included in the patwar circles of 1. Mandreila  
 2. Bajwa 3. Dhattawala 4. Chainpura 5. Narhar  
 6. Chirawa 7. Brijlalpura 8. Kishorepur 9. Kayamsar  
 10. Chandana 11. Kithana 12. Gadania.

Villages included in the remaining patwar circles of this  
 tehsil uncovered by Chirawa Block.

8. Sawai Madhopur.	73. Mahwa.	Mahwa.	Entire Tehsil.
	74. Hindaun.	Hindaun.	Entire Tehsil.
	75. Gangapur.	Gangapur.	—do—
	76. Karauli.	Karauli	Entire Tehsil excluding Sub-Tehsil Mandrail
	77. Sapotra.	1. Sapotra.	Entire Tehsil.
		2. Karauli.	Sub-Tehsil Mandrail.
	78. Todabhim.	Todabhim.	Entire Tehsil.
	79. Sawai Madhopur.	Sawai Madhopur	Entire Tehsil excluding villages covered by Khandar Block.
	80. Khandar.	1. Khandar.	Entire Tehsil.
		2. Sawai Madhopur.	Villages included in the patwar circles of 1. Pipalwara 2 Pancholas 3. Phalodi 4. Chitara 5. Lahsoda 6. Dheroli & Kila Ranthambhore village of Sawai Madhopur patwar circle and Kalibhat and Shivpura villages of Jwoad patwar circle.
	81. Bonli.	Malarana Chor (Bonli).	Entire Tehsil.
	82. Nadoti.	1. Bamanwas.	—do—
		2. Nadoti.	—do—
	83. Fatehpur.	1. Fatehpur.	—do—
9. Sikar.		2. Lachmangarh	Villages included in the patwar circles of 1. Kandlau 2. Badusar 3. Renu and 4. Balaran.
	84. Lachmangarh.	Lachmangarh.	Entire tehsil including 4 patwar circles covered by Fatehpur Block.
	85. Piprali.	(a) Sikar.	Villages included in the patwar circles of 1. Kolida 2. Gangara 3. Katrathal 4. Sheosinghpura 5. Harash 6. Sikar 7. Radha Kishanpura 8. Piprali 9. Raghunathgarh 10. Shyamgarh 11. Palasra

2	3	4(a)	4(b)
Sikar.	(b) Dantaramgarh.	Sikar.	Villages included in the patwar circles of 1. Rewasa
86, Dhod	Dantaramgarh	Dantaramgarh	2. Ranoli 3. Sisau 4. Raipura 5. Palshana.
87, Dantaramgarh	Srimadhohpur	Srimadhohpur	Entire Tehsil excluding patwar circles covered by Piprali
88. Srimadhohpur	Srimadhohpur.	Srimadhohpur.	Entire Tehsil excluding patwar circles covered by Sri-
89. Khandela	Srimadhohpur.	Srimadhohpur.	Block. Tehsil excluding patwar circles of 1. Kotri 2. Sri-
90. Neem-ka-thana	Neem-ka-thana	Neem-ka-thana	Entire Tehsil. madhopur Block.
91. Tonk	Tonk	Tonk	Entire Tehsil.
92. Malpura	Malpura	Malpura	—do—
93. Niwai	Niwai	Niwai	—do—
94. Deoli H. Q.	Deoli	Deoli	—do—
95. Aligarh	Aligarh	Aligarh	—do—
96. Unara	Unara	Unara	—do—
97. Todaraisingh	Todaraisingh	Todaraisingh	Villages included in the patwar circles of 1. Akri
98. Ajmer	Ajmer	Ajmer	2. Ramnerdhani 3. Bubani 4. Ararka 5. Bhudol 6. Nareli
99. Ajmer	Ajmer	Ajmer	7. Gurga 8. Chachiaswas 9. Magra 10. Untara 11. Srinagar
100. Ajmer	Ajmer	Ajmer	12. Kaya 13. Narwat 14. Mekerwali 15. Rampura
101. Ajmer	Ajmer	Ajmer	16. Danta 17. Labera 18. Kauakheri 19. Bargaon
102. Ajmer	Ajmer	Ajmer	20. Pharkia 21. Jatia 22. Beer 23. Dilwara 24. Ramsar
103. Ajmer	Ajmer	Ajmer	25. Sedariya 26. Makhupura 27. Kiranipura 28. Tilana
104. Ajmer	Ajmer	Ajmer	29. Samproda 30. Maoshia 31. Deolia 32. Tilana

33. Sanod 34. Nawab 35. Chand Sen 36. Tihari  
37. Kanpura 38. Dhal 39. Mora Jhari 40. Ajaisar  
41. Kotra 42. Hanwantia 43. Boraj 44. Loharwara  
45. Chorsiaawas (Teliyan).

Villages included in the remaining 52 patwar circles, not covered by Srinagar Block.

Villages included in the patwar circles of: 1. Jawaja  
2. Nai-kalan 3. Kabra 4. Kotra 5. Kali Kankar  
6. Durgawas 7. Sarvina 8. Badkocharan 9. Devatan  
10. Surajpura 11. Lotiana 12. Devkhera 13. Todgarh  
14. Taragarh 15. Banjari 16. Rawatmal 17. Baman-  
heda 18. Asan 19. Meria 20. Badakhhera 21. Jalia I  
22. Roopangarh 23. Ganeshpura 24. Atimand 25. Sar-  
malia 26. Narbadjhera 27. Rajiwas 28. Fatehpura II  
29. Beawar-khas 30. Nundri Medranthan 31. Gohana  
32. Sedriya 33. Balad 34. Kaliawas 35. Dilwara  
36. Suhawa 37. Pakheriawas 38. Kherakalan.

Villages included in the remaining 43 patwar circles of this Tehsil covered by Jawaja Block.

Villages included in the Patwar circles of 1. Kekri  
2. Junia 3. Naiki 4. Lassania 5. Mevdakalana  
6. Deogaon 7. Karonj 8. Deolia-khurd 9. Baghera  
10. Salari 11. Tiwaraia 12. Molkia 13. Khoda  
14. Mankhand 15. Para 16. Dhundri 17. Ugain  
18. Meodakhurd 19. Pranhera 20. Pharkia 21. Birwara  
22. Gulgaon 23. Sadara 24. Aoli 25. Sankariya  
26. Khawas 27. Kadera 28. Kacharia 29. Bhimrawas  
30. Kalera 31. Mehrunkalan 32. Chosia 33. Bajta  
34. Ghatiyali 35. Kalera 36. Khejri 37. Nimera

98. Pisangan

Ajmer

99. Jawaia

Beawar

100. Masuda

Beawar

101. Kekri

Kekri

4(b)

4(a)

3

2

1

Ajmer

102. Bhinal

103. Kishangarh  
(H Q. Silora).

104. Arain

105. Siwana

106. Sheo

107. Pachbhadra  
(H Q. Balotra).

108. Gurmallani

12. Barmer

109. Barmer

Kekri

(a) Kishangarh  
(b) Roopangarh

(a) Sarwar

(b) Arain

Siwana

Sheo

Pachbhadra

Barmer

(b) Chotan

(a) Barmer

41. Kusayata

40. Chitawas

38. Rajpura 39. Sawar 44. Amla 45. Chikla.

42. Bisundari 43. Piplaj  
Villages included in the remaining 52 patwar circles of  
this Tehsil not covered by Kekri Block.

Entire Tehsil.

—do—  
Entire Tehsil.

—do—

—do—

—do—

Villages included in the patwar circles of 1. Guda  
2. Guda 3. Gandavkalan 4. Bhakhapura 5. Ratanpura  
6. Nagar 7. Dhudhu 8. Bheduna 9. Dhorimana  
10. Mithi Khurd 11. Ranasar Kallan 12. Lukhu  
13. Luharwa 14. Bhimatal 15. Chainpura 16. Peprali  
Villages included in the patwar circles of 1. Bamdala  
2. Gangasara 3. Sobhala 4. Bamnor 5. Ogala

1. Bisala  
2. Gangasara  
6. Bisarana.

Villages included in the patwar circles of 1. Bisala  
2. Sihani 3. Lerasar 4. Jasai 5. Nand 6. Gudisar  
7. Surajagir 8. Sokhra 9. Anti 10. Ramsar 11. Gagra  
12. Bachbar 13. Khaden 14. Setru 15. Gagra  
16. Chadwa 17. Chadi 18. Bukar 19. Mahabar  
20. Undkha 21. Hathitala 22. Sanawada 23. Barmer  
(Town).

<p>110. Baitu</p>	<p>(b) Chotan</p> <p>Barmer</p>	<p>Villages included in the Patwar circles of 1. Sanau 2. Lilsar 3. Taratar 4. Ratasar.</p> <p>Villages included in the patwar circles of 1. Gira 2. Rateu 3. Kasombala Bhatiyaa 4. Sawau Padm-singh 5. Heera-ki-Dhani 6. Khokhar 7. Madpura 8. Preu 9. Lapundra Tirli 10. Chibi 11. Bandara 12. Chokhla 13. Kosaria 14. Bataru 15. Jhakh 16. Akdara 17. Kanor 18. Madpura Sani 19. Baitu Bhimji 20. Baitu Panji 21. Bhurtia 22. Bhadkha 23. Kapoori 24. Chuli.</p> <p>Villages included in remaining 26 patwar circles of this tehsil uncovered by Gurmallani, Barmer and Baitu Blocks.</p>
<p>111. Sindhari</p>	<p>Barmer</p>	<p>Villages included in the remaining 24. patwar circles of the tehsil uncovered by Gurmallani and Barmer Blocks.</p>
<p>112. Chotan</p>	<p>Chotan</p>	<p>Entire Tehsil.</p>
<p>113. Sankara</p>	<p>Pokaran</p>	<p>Entire Tehsil.</p>
<p>114. Jaisalmer</p>	<p>(a) Jaisalmer</p>	<p>—do—</p>
<p>115. Sam</p>	<p>(b) Nachana</p>	<p>—do—</p>
<p>116. Ahore</p>	<p>(a) Ramgarh</p>	<p>—do—</p>
<p>14. Jalore</p>	<p>(b) Sam</p>	<p>—do—</p>
<p>15. Ahore</p>	<p>(c) Fatehgarh</p>	<p>—do—</p>
<p>16. Ahore</p>	<p>Ahore</p>	<p>Villages included in the patwar circles of 1. Bhadraru 2. Norwa 3. Maigarh 4. Kishangarh 5. Gura Rama 6. Sugalia Jodha 7. Nosra 8. Aipura 9. Raythal 10. Bhanwarahi 11. Bala 12. Rama 13. Bharhdal 14. Barwa 15. Ghana 16. Bankli 17. Ahore 18. Chawarcha 19. Harji 20. Kavarada 21. Gura Balotra 22. Agawari 23. Dodiya 24. Paota 25. Padarili</p>

14.]



122. Jaswantpura	Bhinmal	Villages included in the remaining 20 patwar circles of this tehsil uncovered by Bhinmal and Raniwara Blocks.
123. Bilara	Bilara	Villages included in the patwar circles of 1. Benan 2. Buchkala 3. Reeyan 4. Pipar City 5. Jaliwara 6. Madaliya 7. Borunda 8. Hariyadana 9. Bilara Chak No. 1 10. Chak No. 3 11. Barana 12. Kharai Mithapur 13. Jhak 14. Kalauna 15. Ransigaon 16. Chirdani 17. Khejarla 18. Ghanemagra 19. Pichiyak 20. Bhavisirbas 21. Bhavi Jatbas 22. Malkosani 23. Bijasni 24. Hariyade 25. Bala 26. Boyal 27. Kaporda 28. Raivar 29. Olvi 30. Chandelaou.
124. Bhopalgarh	Bilara	Villages included in the remaining 28 patwar circles of the tehsil uncovered by Bilara Block.
125. Osian	Osian	Entire Tehsil.
126. Jodhpur (HQ. Mandore).	Jodhpur	Villages included in the patwar circles of 1. Gawan 2. Jodhpur 3. Mandore 4. Poondla 5. Bagan 6. Surpura 7. Jajwal Khichiyan 8. Lordi Panditji 9. Karwar 10. Dai-kara 11. Salva Kallan 12. Narwa 13. Manaklao 14. Beru 15. Popawas 16. Keru 17. Lordi Doliya 18. Lordi Daijagra 19. Banar 20. Khatiyasani 21. Dan-giawas 22. Nandra 23. Bishalpur 24. Rurkali.
127. Luni	Jodhpur	Villages included in the remaining 27 patwar circles of this tehsil uncovered by Mandore Block.
128. Shergarh	Shergarh	Villages included in the patwar circles of 1. Shergarh 2. Chandasama 3. Deehu 4. Unthawaliya 5. Khinya-sariya 6. Setrawa 7. Solanki Tala 8. Suhaliya 9. Chaba 10. Bungra 11. Tena 12. Khirja Khas 13. Sai 14. Sihada 15. Dosania.
15. Jodhpur		

4(b)

4(a)

3

2

Shergarh

129. Balesar

Phalodi

130. Phalodi

Phalodi

131. Bap

Deedwana

16. Nagaur

132. Deedwana

133. Ladnu

134. Kuchaman

135. Nagaur

Ladnu

Nawa

Nagaur

Nagaur

136. Mundwa

Jayal

137. Jayal

Parbatsar

138. Makrana

Villages included in the remaining 16 patwar circles of the tehsil uncovered by Shergarh Block.

Villages included in the patwar circles of 1. Phalodi 2. Lohawat JB 3. Lohawat BB 4. Khichan 5. Bengti 6. Khara 7. Sanwri 8. Ugras 9. Mandla 10. Kushalawas 11. Mokheri 12. Peelwa 13. Padiyal 14. Denok 15. Isru 16. Bhojasar 17. Au 18. Chadi.

Villages included in the remaining 17 patwar circles of this tehsil uncovered by Phalodi Block. Entire Tehsil.

—do—

—do—

Villages included in the patwar circles of 1. Nagaur 2. Gangwans 3. Tousar 4. Bhadhana 5. Jeedhyasi 6. Chuntisara 7. Ganthilasar 8. Shamsar 9. Rohini 10. Satheran 11. Chilo 12. Bhagao 13. Alaya 14. Gogolao 15. Singer 16. Kumari 17. Basni 18. Kalti 19. Gudha Bhagwandas 20. Bhundel 21. Sinod 22. Bhod 23. Raidhana 24. Bhojas 25. Karnu 26. Deu 27. Jhadisara.

Villages included in the remaining 28 patwar circles of this tehsil covered by Nagaur Block.

Entire Tehsil.

Villages included in the patwar circles of 1. Midhyan 2. Altawa 3. Itawa-Lakhan 4. Besroli 5. Manana 6. Dhananwa 7. Indokha 8. Gedha Kallan 9. Sarnawara

10. Bhiya-Kallan 11. Kharadiya 12. Ranigaon 13. Chandel  
daliya 14. Nand Olchandawatan 15. Bursu 16. Jakhli  
17. Jusari 18. Makrana 19. Borawar 20. Bhichawa  
21. Kalwa 22. Sabalpur 23. Nandoli 24. Kacholiya.

Villages included in the remaining 31 patwar circles  
of this Tehsil uncovered by Makrana Block.

Villages included in the patwar circles of 1. Sanju  
2. Jakhera 3. Habchar 4. Barna 5. Dugor 6. Akeli WB;  
7. Bhutati 8. Nimbari Chandawaton 9. Rajod  
10. Antroli Khurd 11. Nimbola Kallan 12. Khuvi  
Kallan 13. Sirasana 14. Edwa 15. Degana 16. Punlota  
17. Langor 18. Pithriya 19. Jalsu Kallan 20. Nimbari  
Kallan 21. Nimbari Kothari 22. Palri 23. Bikharniya  
24. Paliyas 25. Harsore.

Villages included in the patwar circles of 1. Bhernuda  
2. Modi Kallan 3. Sudawad 4. Thanwala 5. Kod  
6. Dodiya 7. Alniyas 8. Ladpura.

Villages included in the patwar circles of 1. Padu Kallan  
2. Padu Khurd 3. Arniyala 4. Lampolai 5. Guwardi  
6. Chanwadiya 7. Badayali 8. Jhintiyan 9. Radi  
10. Bijathal 11. Rolsa 12. Meras 13. Bhanwalmertiya  
14. Jasnagar 15. Jaswantbad 16. Idelia A 17. Liliyan  
18. Merara.

Entire Tehsil excluding villages covered by Riyan Block.  
Villages included in the patwar circles of 1. Nana  
2. Bhimana 3. Chawndari 4. Bijapur 5. Goriya 6. Bera  
7. Bhandar 8. Dudani 9. Bisalpur 10. Bhatund  
11. Khudala 12. Khimel 13. Bamniya 14. Dantiwara

Parbatsar

Degana

(a) Degana

(b) Merta

Merta  
Bali

139. Parbatsar

140. Degana

141. Riyan

142. Merta  
143. Bali

17. Pali

4(b)

4(a)

3

2

1	2	3	4(a)	4(b)
144. Sumerpur	Bali	15. Bali 16. Kot 17. Lunawa 18. Boya 19. Sewari		
145. Kharchi	Kharchi	20. Mundara 21. Sewtala 22. Latara.		
146. Desuri	Desuri	Villages included in the remaining 21 patwar circle of this tehsil uncovered by Bali Block.		
		Entire Tehsil.		
		Villages included in the patwar circles of 1. Sadri		
		2. Sinderli 3. Ghanerao 4. Ana 5. Dhalop 6. Barod		
		7. Desuri 8. Nado 9. Kesuli 10. Kot 11. Panot		
		12. Sadri II.		
		Villages included in the remaining 10 patwar circles of this tehsil uncovered by Desuri Block.		
147. Rani Station	Desuri	Entire Tehsil.		
		—do—		
148. Jaitaran	Jaitaran	—do—		
149. Raipur	Raipur	Village included in the patwar circles of 1. Pali		
150. Sojat	Sojat	2. Lambiya 3. Bhumadara 4. Bhangessar 5. Gundoj		
151. Pali	Pali	6. Gura Bandla 7. Kurna 8. Miniyari 9. Mandiya		
		10. Hemawas 11. Kherwa 12. Sodawas 13. Diri		
		14. Roopbas.		
152. Rohat	Pali	Villages included in the remaining 15 patwar circles of this tehsil uncovered by Pali Block.		
		Entire Tehsil.		
		—do—		
153. Pindwara	Pindwara	—do—		
154. Sirohi	Sirohi	—do—		
155. Sheoganj	Sheoganj	—do—		
156. Reodar	Reodar	—do—		
157. Abu	Abu	—do—		
158. Talera	(a) Talera	—do—		
18. Sirohi				
19. Bundi				

Villages included in the patwar circles of 1. Khatkare  
2. Bhairapuraojah 3. Jharbulpura 4. Matunda 5. Dev-  
pura 6. Ramnagar 7. Gudaho 8. Neem-ka-thana  
9. Magal 10. Silor 11. Ramganj 12. Dalora 13. Lalpura  
14. Bambari 15. Raithal 16. Dailenda 17. Khyawada  
18. Bundi.

Entire Tehsil.

Villages included in the remaining 4 patawar circles of  
this tehsil uncovered by Talera (Bundi) Block.

Entire Tehsil.

-do-

(a) -do-

(b) -do-

-do-

(a) -do-

(b) -do-

-do-

(a) -do-

(b) Villages included in the patwar circles of 1. Ghatoli  
2. Pachola 3. Genhukhedi 4. Samelikan 5. Uchavada  
6. Sarda 7. Banskhedi 8. Borwan 9. Garda 10. Borkhedi  
Gujran.

(a) Entire Tehsil.

(b) Villages included in the remaining 11 patwar circles  
of the tehsil uncovered by Bakani Block.

Entire Tehsil.

-do-

-do-

(b) Bundi

(a) Hindoli

(b) Bundi

Nainwa

Keshoraipatan

(a) Patan

(b) Pachpahar

Khanpur

(a) Gangdhar

(b) Dag

Pirawa

(a) Bakani

(b) Aklera

(a) Manoharthana

(b) Aklera

Ladpura

(a) Antah

(b) Mangrol

159. Hindoli

160. Nainwa

161. Keshoraipatan

162. Jhalarpatan

163. Khanpur

164. Dag

165. Pirawa

(H.Qr. Sunel)

166. Bakani

167. Manohar-  
thana

168. Ladpura

169. Antah

20. Jhalawar

21. Kotah

1	2	3	4(a)	4(b)
	170. Baran		Baran	—do—
	171. Atru		Atru	—do—
	172. Shahbad		(a) Shahbad	—do—
			(b) Kishanganj	—do—
	173. Chechat		(a) Chechat	—do—
			(b) Ramganjmandi	—do—
	174. Sangod		(a) Sangod	—do—
			(b) Kanwas	—do—
	175. Sultanpur		(a) Barod	—do—
			(b) Digod	—do—
	176. Itawa		(a) Itawa	—do—
			(b) Pipalda	—do—
	177. Chipa-barod		Chipa-barod	—do—
	178. Chhabra		Chhabra	—do—
	179. Garhi		Garhi	—do—
	180. Kushalgarh		Kushalgarh	—do—
22, Banswara				Villages included in the patwar circles of 1. Kushalgarh 2. Badwas 3. Timeda 4. Ranga 5. Choti Sarwa 6. Zatan 7. Mohkampura 8. Badi Sarwa 9. Dungarbhiti 10. Loharia 11. Ramgarh.
	181. Sajjangarh		Kushalgarh	Villages included in the remaining 10 patwar circles of this tehsil/uncovered by Kushalgarh Block.
	182. Bagidora (H.Q. Kalinjara)		Bagidora	Villages included in the patwar circles of 1. Bagidora 2. Nogama 3. Chhinnich 4. Barodia 5. Chokhala 6. Kalinjara 7. Dhalar 8. Sallopat 9. Shergarh 10. Gangar Talai 11. Lankai.
	183. Bukhiaya		Bagidora	Villages included in the remaining 7 patwar circles of this tehsil uncovered by Bagidora Block.

Villages included in the patwar circles of 1. Ghatol  
2. Khamera 3. Chokdi 4. Delwara 5. Narwali 6. Durgaria 7. Badana 8. Kuwania 9. Bhungra 10. Mudasel  
11. Doongra 12. Jagpura 13. Mola 14. Ganoda  
15. Basi Bhawasa 16. Moongana 17. Mordi.

(a) Villages included in the remaining 5 patwar circles of the tehsil uncovered by Ghatol Block.

(b) Villages included in the patwar circles of 1. Danpur  
2. Kudchi 3. Ghodi 4. Tejpur Kotda 5. Panchalasa.

Villages included in the remaining 14 patwar circles of the tehsil uncovered by Pipalkhat Block.  
Entire Tehsil.

—do—

—do—

—do—

Villages included in the patwar circles of 1. Bhadsi  
2. Badnore 3. Mogar 4. Ojania 5. Chatrapura 6. Patan  
7. Pura 8. Bhojpura 9. Bajunda 10. Chainpura  
11. Katar 12. Borela 13. Asind 14. Darawat 15. Parsoli 16. Kawanlas 17. Barana 18. Negdiya 19. Ragnathpura 20. Jalria 21. Tiloli 22. Ratanpura  
23. Lachhuda 24. Sareri 25. Daulatgarh 26. Ruppura  
27. Paldi Nimbahera 28. Gangalas 29. Akarsada  
30. Karjalia.

Entire Tehsil.

Villages included in the remaining 10 patwar circles of this tehsil uncovered by Asind Block.

Entire Tehsil

—do—

184. Ghatol

Ghatol

185. Pipalkhant

(a) Ghatol

(b) Banswara

186. Banswara

Banswara

(H.Q. Talwara)

187. Mandalgargh

Mandalgargh

188. Mandal

Mandal

189. Shahpura

Shahpura

190. Suwana

Bhilwara

191. Asind

Asind

23. Bhilwara

92. Hurda

(a) Hurda

(b) Asind

93. Banera

Banera

94. Jahajpur

Jahajpur





25. Dungarpur	209. Simalwara	(a) Sagwara	Villages included in the patwar circles of 1. Galiakot 2. Chitri 3. Johnsawa 4. Gariyata 5. Chikhli 6. Ramsor 7. Sakodra 8. Kunwa 9. Bavadi.
		(b) Dungarpur	Villages included in the patwar circles of 1. Dhambola 2. Vedsa 3. Simalwara 4. Rasta 5. Jhalap 6. Doonka 7. Peeth 8. Bansia plus Village Gajpur of Karawadi circle.
	210. Sagwara	Sagwara	Entire Tehsil excluding Villages covered by Simalwara Block.
	211. Dungarpur	Dungarpur	Villages included in the patwar circles of 1. Jhonthri 2. Suratan 3. Sansarpur 4. Antri 5. Upargam 6. Damdi 7. Pal Manday 8. Kolkhandia 9. Falonj 10. Metali 11. Vassi 12. Peeplada 13. Hathai 14. Odwadia 15. Poonali 16. Heertal plus Village Malpur of Raj- pura patwar circle and Dungarpur patwar circles exclu- ding Navadera, Fatehpura, Bhandaria and Masania (Viran) Villages.
	212. Bechiwara	Dungarpur	Remaining Villages of the tehsil uncovered by Dungar- pur and Simalwara Blocks.
	213. Aspur	Aspur	Entire Tehsil
	214. Kotra	Kotra	—do—
	215. Rajsamand	Rajsamand	—do—
	216. Kumbhalgarh	Kumbhalgarh	—do—
	217. Relmegra	Relmegra	—do—
	218. Amet	Amet	—do—
	219. Girwa (H.Q. Savina Khara)	Girwa	Villages included in the patwar circles of 1. Kanpur 2. Bhoyokipacholi 3. Bhinsra 4. Sakroda 5. Shishvi
26. Udaipur			

4(b)

4(a)

3

2

6. Gudli 7. Lakarwas 8. Barapal 9. Chansada 10. Lal-pura 11. Aura 12. Alsigara 13. Nai 14. Sawina 15. Tirdi 16. Bhala ka Gura 17. Kurawar 18. Wali 19. Jagat 20. Buthel 21. Bambora.

Remaining Villages of Girwa tehsil uncovered by Girva

(a) Girwa

(b) Nau dwara

Villages included in the patwar circles of 1. Bilota

2. Delwara 3. Rathugna 4. Shisvi 5. Vati 6. Kathar

7. Kadiyan Morionki 8. Loring 9. Kasuli 10. Bhutala

11. Kagnadarda 12. Behodacha.

Villages included in the remaining 28 patwar circles of

the tehsil uncovered by Badgaon Block

Entire Tehsil.

Lasadia

Salumber

Sarada

Kherwara

Mavli

Bhopal sagar

Vallabhnagar

Gogunda

Jhadol

Devgarh

Bhim

221. Khamnore

222. Dhariwad

223. Salumber

224. Sarada

225. Kherwara

226. Mavli

227. Bhopal sagar

228. Vallabhnagar

229. Gogunda

230. Jhadol

231. Devgarh

232. Bhim

[Notification No. F. 45 (173) (104) Co ord./DD/59, dated 10-9-59, published in the Raj. Gaz., Part IV-C, Ex. Ord. dated 10-9-59.]

In exercise of the powers conferred by sub-section (1) of section 7 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act (XXVII of 1959), the State Government hereby directs that Panchayat Samitis for blocs Specified in the Schedule below shall be constituted with effect from 2nd October, 1959.

### SCHEDULE

S. No.	Name of the Block.	District.	S. No.	Name of the Block.	District.
1	2	3	1	2	3
1.	Nokha	Bikaner	28.	Umrain	Alwar
2.	Loonkaransar	"	29.	Rajgarh	"
3.	Kolayat	"	30.	Reni	"
4.	Bikaner	"	31.	Behror	"
5.	Sardarshahar	Churu	32.	Neemrana	"
6.	Ratangarh	"	33.	Bansur	"
7.	Rajgarh	"	34.	Thanagazi	"
8.	Taranagar	"	35.	Deeg	Bharatpur
9.	Ratannager	"	36.	Basseri	"
10.	Sujangarh	"	37.	Nagar-Pahari	"
				(H.Q. Nagar)	
11.	Dungargarh	"	38.	Rajakhera	"
12.	Raisinghnagar	Ganganagar	39.	Kama	"
13.	Karanpur	"	40.	Weir	"
14.	Sadulshahar	"	41.	Bayana	"
15.	Mirzewala	"	42.	Roopbas	"
16.	Hanumangarh	"	43.	Dholpur	"
	Town				
17.	Nohar	"	44.	Bari	"
18.	Suratgarh	"	45.	Nadbai	"
19.	Padampur	"	46.	Kumher	"
20.	Bhadra	"	47.	Sewar	"
21.	Kishangarh	Bas Alwar	48.	Bassi	Jaipur
22.	Tijara	"	49.	Sanganer	"
23.	Kotkasim	"	50.	Jaipur (H.Q. Jhotwara)	
24.	Govindgarh	"	51.	Phagi	
	(H.Q. Lachmangarh)				
25.	Kathumar	"	52.	Bandikui	
26.	Mandawar	"	53.	Jobner (H.Q. Sambhar)	
27.	Ramgarh	"	54.	Mozmabad	

1	2	3	4	5	6
55. Govindgarh	Jaipur.	96. Todaraisingh			Tonk.
56. Amber	"	97. Srinagar			Ajmer
57. Jamwaramgar	"	98. Pisangan			"
58. Shahpura	"	99. Jawaja			"
59. Bairath	"	100. Masuda			"
60. Kotputli	"	101. Kekri			"
61. Sikrai	"	102. Bhinai			"
62. Lalsote	"	103. Kishangarh			"
63. Dausa	"	(H.Q. Silora)			"
64. Chaksu	"	104. Arian			"
65. Jhunjhunu	Jhunjhunu.	105. Siwana			Barmer.
66. Alsisar	"	106. Sheo			"
67. Buhana	"	107. Pachbhadra			"
68. Khetri	"	(H.Q. Balotra)			"
69. Udaipurwati	"	108. Gurmallani			"
70. Nawalgarh	"	109. Barmer			"
71. Chirawa	"	110. Baitu			"
72. Surajgarh	"	111. Sindhari			"
73. Mahwa	Sawai Madhopur.	112. Chotan			"
74. Hindaun	"	113. Sankra			"
75. Gangapur	"	(H.Q. Pokaran)			Jaisalmer
76. Karauli	"	114. Jaisalmer			"
77. Sapotra	"	115. Sam			"
78. Todabhim	"	116. Ahore			Jalore.
79. Sawaimadhopur	"	117. Jalore			"
80. Khandar	"	118. Sayala			"
81. Bonli	"	119. Sanchore			"
82. Nadoti	"	120. Bhinmal			"
83. Fatehpur	Sikar.	121. Raniwara			"
84. Lachmangarh	"	122. Jaswantpura			"
85. Pirrali	"	123. Bilara			Jodhpur.
86. Dhod	"	124. Bhopalgarh			"
87. Dantaramgarh	"	125. Osian			"
88. Srimadhopur	"	126. Jodhpur			"
89. Khandela	"	(H.Q. Mandore)			"
90. Neem-ka-Thana	"	127. Luni			"
91. Tonk	Tonk	128. Shergarh			"
92. Malpura	"	129. Balesar			"
93. Niwai	"	130. Phalodi			"
94. Deoli	"	131. Bap			"
95. Uniara (H.Q. Aligarh)	"	132. Deedwana			Nagaur

1	2	3	1	2	3
133. Ladnu		Nagaur	174. Sangod		Kotah.
134. Kuchaman		"	175. Sultanpur		"
135. Nagaur		"	176. Itawa		"
136. Mundwa		"	177. Chipabarod		"
137. Jayal		"	178. Chhabra		"
138. Makrana		"	179. Garhi		Banswara.
139. Parbatsar		"	180. Kushalgarh		"
140. Degana		"	181. Sajjangarh		"
141. Riyan		"	182. Bagidora		"
142. Mertā		"	(H.Q. Kalinjara)		"
143. Bali		Pali.	183. Bukhiya		"
144. Sumerpur		"	184. Ghatol		"
145. Kharchi		"	185. Pipalkhunt		"
146. Desuri		"	186. Banswara		"
147. Rani Station		"	(H.Q. Talwara)		"
148. Jaitran		"	187. Mandalgarh		Bhilwara.
149. Raipur		"	188. Mandal		"
150. Sojat		"	189. Shahpura		"
151. Pali		"	190. Suwana		"
152. Robat		"	191. Asind		"
153. Pindwara		Sirohi.	192. Hurda		"
154. Sirohi		"	193. Banera		"
155. Sheoganj		"	194. Jahajpur		"
156. Reodar		"	195. Kotri		"
157. Abu		"	196. Raipur		"
158. Talera		Bundi.	197. Sahara		"
159. Hindoli		"	198. Begun		Chittorgarh.
160. Nainwa		"	199. Chittorgarh		"
161. Keshoraipatan		"	200. Rashmi		"
162. Jhalrapatan		Jhalawar.	201. Kapasin		"
163. Khanpur		"	202. Pratapgarh		"
164. Dag		"	203. Nimbahera		"
165. Pirawa (H.Q. Sunel)		"	204. Bhadesar		"
166. Bakani		"	205. Doongla		"
167. Manoharthana		"	206. Chhotisadri		"
168. Ladpura		Kotah	207. Achnera (H.Q. Arnod)		"
169. Antah		"	208. Bhainserorgarh		"
170. Baran		"	209. Simalwara		Dungarpur.
171. Atru		"	210. Sagwara		"
172. Shahbad		"	211. Dungarpur		"
173. Chechat		"	212. Bechiwara		"

213. Aspur	Dungarpur.	223. Salumber	Udaipur.
214. Kotra	Udaipur.	224. Sarda	"
215. Rajasmand	"	225. Kherwara	"
216. Kumbhalgarh	"	226. Mavli	"
217. Relmagra	"	227. Bhopal Sagar	"
218. Amet	"	228. Vallabh Nagar	"
219. Girwa	"	229. Gogunda	"
(H. Q. Savinakhera)	"	230. Jhadol	"
220. Badgaon	"	231. Devgarh	"
221. Khamnore	"	232. Bhim	"
222. Dhariwad	"		

[Notification No. F. 45 (173) (106) /Co-ord/DD/59, dated 10-9-1959, published in the Rajasthan Gazette, Part IV-C, Extraordinary, dated 10-9-59.]

In exercise of the powers conferred by sub-section (1) of section 42 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. XXXVII of 1959), the State Government hereby directs that Zila Parishads for the Districts specified in the Schedule below shall be constituted with effect from 2nd October, 1959.

#### SCHEDULE

S. No.	Name of District.	S. No.	Name of District.
1. Bikaner		14. Jalore	
2. Churu		15. Jodhpur	
3. Ganganagar		16. Nagaur	
4. Alwar		17. Pali	
5. Bharatpur		18. Sirohi	
6. Jaipur		19. Bundi	
7. Jhunjhunu		20. Jhalawar	
8. Sawai Madhopur		21. Kotah	
9. Sikar		22. Banswara	
10. Tonk		23. Bhilwara	
11. Ajmer		24. Chittorgarh	
12. Barmer		25. Dungarpur	
13. Jaisalmer		26. Udaipur	

[Notification No. D 9856/F. 4 (38)/A/59-I LSG dated 10-9-1959, published in the Rajasthan Gazette Part IV-C, Extraordinary, dated 10-9-1959.]

In exercise of the powers conferred by sub-section (1) of section 70 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (No. XXXVII of 1959), the State Government hereby directs that all the District Boards in the State of Rajasthan shall stand abolished with effect from the 10th day of September, 1959.

[Notification No. D. 9856/F. 4 [38] LSG/A/59-II dated 10-9-1959 published in the Rajasthan Gazette, Part IV-C Extraordinary, dated 10-9-1959]

In exercise of the powers conferred by sub-section (3) of section 70 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (No. XXXVII of 1959), the State Government hereby directs that the assests and liabilities of the District Boards specified in column (2) of the Schedule below be transferred to the Officers specified in column (3) of the said Schedule.

### SCHEDULE

S. No. 1	Name of the District Board 2	Name of the Officer. 3
1.	District Board Ajmer.	Collector Ajmer.
2.	District Board Jaipur.	Collector Jaipur.
3.	District Board Sawai Madhopur	Collector Sawai Madhopur.
4.	District Board Ganganagar.	Collector Ganganagar.
5.	District Board Tonk.	Collector Tonk.
6.	District Board Churu.	Collector Churu.
7.	District Board Jhunjhunu.	Collector Jhunjhunu.
8.	District Board Sikar.	Collector Sikar.
9.	District Board Bikaner.	Collector Bikaner.
10.	District Board Dungarpur.	Collector Dungarpur.
11.	District Board Bhim.	Sub-divisional Officer, Bhim

[Notification No. F. 45 (173) (50) Coord./DD/59 dated 26-9-1959, published in the Rajasthan Gazette, Part IV-C, Extraordinary, dated 26-9-59.]

In exercise of the powers conferred by sub-section (1) of section 84 of the Rajasthan Panchayat Samitis and Zila Parishads Act (Act No. 37 of 1959), the State Government hereby delegates its power to appoint Extension Officers for Panchayat Samitis under sub-section (1) of section 26 of the said Act respective to the Heads of Departments specified in column (1) in respect of Extension Officers specified in column (2) of the Schedule given below —

### SCHEDULE

Head of the Department to whom powers delegated 1	Extension Officer or other Officer in respect of whose appointment powers delegated. 2
1. Director Animal Husbandry	Animal Husbandry Extension Officers, Veterinary Asstt. Surgeons, Sheep and Wool Extension Officers.

2. Director of Agriculture.	Agriculture Extension Officers. Farm Managers. Compost Inspectors.
3. Director Medical & Health.	Sanitary Inspectors. Social Workers (Family Planning)
4. Addl. Director of Education	Sub-Deputy Inspectors of Schools. Social Education Organisers (male) Social Education Organisers. (Female) (Mukhya Sevika)
5. Director of Industries and Suppliers.	Industries Extension Officers, Instructors. Supervisors. Technical Managers.
6. Registrar, Co-operative Societies	Co-operative Extension Officers (a) Inspectors (b) Asstt. Inspectors.
7. Jt. Development Commissioner (Panchayats)	Panchayat Extension Officers.
8. Chief Engineer, P.W.D. (B & R)	Overseer, P.W.D. (B & R).
9. Chief Engineer (Irrigation)	Overseer (Irrigation)
10. Director, Economics and Statistics.	Progress Assistants.
11. Director, Social, Welfare	Social Workers. Instructors. Supervisors. Superintendents.

[Notification No.F.45(173)(108)/(Co-ord)DD/59 dated 26-9-1959, published in the Rajasthan Gazette, Part IV-C, Extraordinary, dt. 26-9-1959]

In exercise of the powers conferred by section 39 and 49 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959, the State Government hereby issues the following directions, namely:—

1. A written notice of intention to make a motion expressing want of confidence in the Pradhan or the Up-Pradhan of a Panchayat Samiti shall be in the form in Schedule I.
2. A written notice of intention to make a motion expressing want of confidence in the Pramukh or the Up-Pramukh of a Zila Parishad shall be in the form in Schedule II.



3. The Collector shall give notice of the meeting for the consideration of the motion of no-confidence in a Pradhan or Up-Pradhan to the members of the Panchayat Samiti in the following manner, namely :—

He shall send by Registered Post not less than 15 clear days before the date of the meeting, a notice of such meeting and of the date and the time appointed therefor, in the form in Schedule III, to every member of the Panchayat Samiti at his ordinary place of residence and shall at the same time cause such notice to be published by affixing a copy of it on the Notice Board of the Panchayat Samiti at its office:

Provided that in case of such place where there is no Post Office or where the service of the Notice can not be effected expeditiously, such Notice may be served through the Tehsil concerned.

4. The Commissioner shall give notice of the meeting for consideration of the motion of no-confidence in a Pramukh or Up-Pramukh to the members of the Zila Parishad in the following manner, namely :—

He shall send by Registered Post not less than 15 clear days before the date of the meeting, a notice of such meeting and of the date and time appointed therefor, in the form in Schedule IV, to every member of the Zila Parishad at his ordinary place of residence and shall at the same time cause such notice to be published by affixing a copy of it on the Notice Board of the Zila Parishad at its Office :

Provided that in case of such place where there is no Post Office or where the service of notice cannot be effected expeditiously, such notice may be served through the Tehsil concerned.

## SCHEDULE I

(Form of the written notice of intention to make a motion expressing want of confidence in the Pradhan/Up-Pradhan of a Panchayat Samiti)

To

The Collector,

.....  
.....

## NOTICE

Sir,

We, the undersigned members of the.....Panchayat Samiti hereby give this notice to you of our intention to make the motion of no-confidence in Shri .. ...the Pradhan/

Up-Pradhan of our Panchayat Samiti and also annex hereto a copy of the proposed motion of no-confidence.

Yours faithfully.

Place.....

Date.....

## SCHEDULE II

(Form of the written notice of intention to make a motion expressing want of confidence in the Pramukh/Up-Pramukh of a Zila Parishad)

To,  
The Commissioner,

.....

.....

## NOTICE

Sir,

We, the undersigned members of the.....Zila Parishad hereby give this notice to you of our intention to make the motion of no-confidence in Shri ....., the Pramukh/Up-Pramukh of our Zila Parishad and also annex hereto a copy of the proposed motion of no-confidence.

Yours faithfully.

Place.....

Date.....

## SCHEDULE III

(Form of the notice of a meeting of the Panchayat Samiti to be held for consideration of the no-confidence motion against the Pradhan/Up-Pradhan)

To,

Shri.....

Member of .....Panchayat Samiti.

## NOTICE

This Notice is hereby given to you of the meeting of..... Panchayat Samiti which shall be held at the office of the said Panchayat Samiti on .....(date) at ..... (time) for consideration of the motion of no-confidence which has been made against Sri..... the Pradhan/Up-Pradhan of the said Panchayat Samiti.

A copy of the motion is annexed hereto.

Place... ..

Date.....

Collector.....

## SCHEDULE IV

(Form of the notice of a meeting of the Zila Parishad to be held for consideration of no-confidence motion against the Pramukh/Up-Pramukh)

To,  
Shri....  
Member of.....Zila Parishad.

### NOTICE

This notice is hereby given to you of the meeting of the .....Zila Parishad which shall be held at the office of the said Zila Parishad on.....(date) at .....(time) for consideration of the motion of no-confidence which has been made against Shri..... Pramukh/Up-Pramukh of the said Zila Parishad.

A copy of the motion is annexed hereto.

Place..... Commissioner.....  
Date.....

(Notification No. F.45(173)(221)Co-ord/DD/59, dated 28-9-1959, published in Rajasthan Gazette, Part IV-C, Extraordinary, dated 29-9-1959)

In exercise of the powers conferred by sub-section 86 of Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby directs that the following categories of employees be encadred in the Rajasthan Panchayat Samiti and Zila Parishad Service, with immediate effect :—

- (1) Skilled Workers including Demonstrators, Designers, Dye Masters, Blacksmiths, Mechanics, Crafts Mistries, Carpenters, Welders, Tanning Mistries, Durries Masters, Niwar Masters.
- (2) Mates.
- (3) Veterinary Compounders.
- (4) Operators.
- (5) Welfare Workers.
- (6) Hostel Superintendents, and
- (7) Drivers.

[Notification No. F. 43 (173)/284/Coord/DD/59 dated 1-10-59, Pub. in Raj. Gaz. Part IV-C, Ex. ord. dated 1-10-59]

In exercise of the powers conferred by sub-section (1) of section 55 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby appoints each of the officers named in column 2, as Secretary of the Zila Parishad specified in the corresponding

entry in column 3 of the Schedule below with effect from the date he assumes charge.

### SCHEDULE

S. No.	Name of the Officer appointed as Secretary	Zila Parishad for which appointed
1	2	3
1.	Shri Mahmud, R.A.S. ....	....Bundi.
2.	„ Prayojin Singh ....	....Churu.
3.	„ B. P. Mathur, R.A.S. ....	....Shri Ganganagar.
4.	„ Ramesh Chand Gupta, R.A.S. ....	....Ajmer.
5.	„ Ramji Lal ....	....Bharatpur.
6.	„ Kashi Ram Goyal, R.A.S. ....	....Udaipur.
7.	„ Anand Singh, R.A.S. ....	....Jhunjhunu.
8.	„ Shriniwas Purohit, R.A.S. ....	....Sawai Madhopur.
9.	„ Kanhiya Lal Kochar ....	....Sikar.
10.	„ Brij Kishore Sharma, R.A.S. ....	....Tonk.
11.	„ Gopi Nath Gupta, R.A.S. ....	....Jaipur.
12.	„ J. S. Mahecha, R.A.S. ....	....Barmer.
13.	„ Jasraj Chopra, R.A.S. ....	....Jaisalmer.
14.	„ Ranjeet Singh ....	....Jalore.
15.	„ Phani Bhosan Thakore, R.A.S. ....	....Jodhpur.
16.	„ Kushal Singh ....	....Nagore.
17.	„ Gopal Singh, R.A.S. ....	....Pali.
18.	„ Vinayak Dutta, R.A.S. ....	....Sirohi.
19.	„ Madan Singh Shekawat, R.A.S. ....	....Banswara.
20.	„ S. N. Khandelwal, R.A.S. ....	....Jhalawar.
21.	„ M. L. Dia ....	....Kota.
22.	„ Akbar Mohamed, R.A.S. ....	....Dungarpur.
23.	„ Sawai Singh Mehta ....	....Bhilwara.
24.	„ Brij Nath Pancholi ....	....Chittorgarh.
25.	„ Hari Kumar Sharma, R.A.S. ....	....Bikaner.
26.	„ Moti Lal Gupta, R.A.S. ....	....Alwar.

[Notification No. F. 150 (4)26/DD/59, dated 13.11.59, published in the Raj. Gaz. Part IV-C, Ex. Dt. 18-11-59.]

In exercise of the powers conferred by sub-section (3) of section 7 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government is pleased to change the name of Vallabh Nagar Panchayat Samiti to Bhinder Panchayat Samiti with immediate effect. The headquarters of the Panchayat Samiti will consequently be located at Bhinder.

[Notification No. F.45 (173) (103) Co-ord/DD/59 Dt. 10.9.59, Pub. in the Raj Gaz. Part IV-C, Ex. ord., Dt. 10.9.59.]

In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby appoints 10th September, 1959, as the date on which the said Act shall come into force throughout the State of Rajasthan.

[Notification No. F. 2(22) Plan/B/59 Dt. 1.12.59, Pub. in the Raj. Gaz. Part IV-C, Ex.ord., Dt. 3.12.59.]

In pursuance of clause (p) of sub-section (1) of section 27 of the Rajasthan Panchayat Samitis and Zila Parishads Act, the State Government hereby charges Vikas Adhikaris, within their respective jurisdictions, with the realisation of all arrears of cesses, taxes, duties and fees leviable by a Panchayat Samiti under the said Act and also of arrears of loans granted by it.

[Notification No. F. 19(1) Pts/60, Dt. 15.12.60, Pub. in the Raj. Gaz. Part IV-C, Ex. ord., Dt. 16.12.60.]

In exercise of the powers conferred by sub-section (2) of section 12 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby appoints Deputy Collectors (Jagir) and Settlement Officers, to preside over the meeting convened for electing the Pradhan of a Panchayat Samiti within the district to which they are posted.

[Notification No. F.45 (173)/81/Co-ord/DD/59, Dt. 22.2.60; Pub. in the Raj. Gaz. Part IV-C, Ex.ord., Dt. 22.2.60]

In pursuance of the provisions of sub-section (7) of section 25 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby directs that a "temporary Pradhan" shall exercise all the powers and perform all the functions of a "Pradhan" subject to the following restrictions and conditions namely:—

1. He shall not exercise the powers and perform the functions of a Pradhan relating to appointments, promotions or punishments or writing of confidential report of any servant of Panchayat Samiti.
2. He shall not perform the functions of a Pradhan under proviso to sub section (3) of section 34 of the aforesaid Act.

[Notification No. F.4 (LF) 60/Pts Dt. 23.12.60, Pub. in the Raj. Gaz. Part IV-C, Ex. ord., Dt. 23.12.60.]

In exercise of the powers conferred by sub-section (1) of section 84 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby delegates the powers exercisable by it under the provisions of the said Act specified in column (2) to the officer specified in the corresponding entry in column (3) of the schedule below:—

### SCHEDULE

S.No.	Provision of the Act.	Officer to whom the powers are delegated.
1	2	3
1	Section 11 (5)	Collector of the District.
2	Section 44 (5)	Commissioner of the Division.

[Notification No. F. 150(4) DOB/Co-ord/DD/60 Dt. 15.2.61, Pub. in the Raj. Gaz. Part IV-C, Ex. ord., Dt. 17.2.61.]

In exercise of the powers conferred by section 46 (1) of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act No. 37 of 1959) and in partial modification of this Department Notification No F 150 (4) DOB/Coord/DD/60, dated 31st January, 1961, published in the Extraordinary Gazette, dated 2nd February, 1961, the State Government hereby notifies 5th March, 1961, as the date before which the first Zila Parishad for district Banswara under the Act was constituted, for the purposes of fixing the date on which the term of the office of the said Zila Parishad shall expire.

[Notification No. F. 150(4) DOB/Coord/DD/60, Dt. 15.2.61, Pub. in the Raj. Gaz. Part IV-C, Ex. ord., Dt. 17.2.61.]

In exercise of the powers conferred by section 42(1) of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act No. 37 of 1959) and in partial modification of this Department Notification No. 150(4) DOB/Co-ord/DD/60 dated 1st February, 1961, published in the Extraordinary Gazette, dated 2nd February, 1961, the State Government hereby constitutes second Zila Parishad for the District of Banswara with effect from the 6th March, 1961.

[Notification No. F. 11 (5) DD/60/5744 Dt. 4-9-62, Pub. in Raj. Gaz. Part IV-C, Ordinary, Dt. 20-9-62.]

In exercise of the powers conferred by sub-section (1) of section 84 of the Rajasthan Panchayat Samitis and Zila Pari-

ls Act (Act No. 37 of 1959), the Collectors are hereby empowered to make officiating appointments of the posts of Secretary Parishad in case of any post temporarily falling vacant to leave, training, transfer or for any other contingency, for period not exceeding three months from any Gazetted officers the district headquarters.

[Notification No. F. 117/1 (Gen.) B.L./LF/DD/62/126 Dt. 4-1-63 b. in Raj. Gaz. Part IV-C, Ordinary, Dt. 17-1-63.]

In exercise of the powers conferred by sub-section (1) of section 84 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby delegates the powers exercisable by it under section 80 of the said Act to the Collector of District concerned for sanctioning the Byelaws framed by the Panchayat Samitis of that district.

[Notification No. F. 4/LF-PS/A(5)13/63//65 Dt. 1-1-64, Pub. in Raj. Gaz. Part IV-C, Ex. ord., Dt. 2-1-64.]

In exercise of the powers conferred by the first proviso to sub-section (1) of section 14 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby extends the term of all the Panchayat Samitis in Rajasthan upto the 25th June, 1964.

[Notification No. F. 4/LF/PS/A/A(5)13/63/70 Dt. 1-11-64, Pub. in the Raj. Gaz. Part IV-C, Exord. Dt. 2-1-64.]

In exercise of the powers conferred by the first proviso to sub-section (1) of section 46 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959), the State Government hereby extends the term of all Zila Parishads in Rajasthan upto the 15th July, 1964.

[Notification No. F. 4/LF/PS/A/(5)/13/63/8578 Dt. 29-4-64, Pub. in Raj. Gaz. Part IV-C, Exord. Dt. 29-4-64.]

In exercise of the powers conferred by the first proviso to sub-section (1) of section 14 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby extends the term of all the Panchayat Samitis in Rajasthan up to the 31st December, 1964.

[Notification No. F. 4/LF/PS/A/5/13/63/8579 dated 29-4-1964, published in Raj. Gaz. Part IV-C, Ex. ord., dated 29-4-1964.]

In exercise of powers conferred by the first proviso to sub-section (1) of section 46 of the Rajasthan Panchayat Samitis

and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959,) the State Government hereby extends the term of all Zila Parishads in Rajasthan up to 20th January, 1965.

[Notification No. F. 4/LF/2/(2)/64/4803-5098 dated 2-2-1965, published in Rajasthan Gazettee, Ex. Ord., Part IV-C, dated 2-2-1965]

In exercise of the powers conferred by sub-section (1-A) of section 14 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby appoints 7th day of February, 1965, at the date on which the term of all the existing Panchayat Samitis in Rajasthan shall expire.

[Notification No. F. 4/LF/2 (2)/64/5089-374 dated 2-2-1965, Pub. in Raj. Gaz., Part. IV-C, Ex. Ord., dated 2-2-1965.]

In exercise of the powers conferred by sub-section (1-A) of section 46 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby appoints 25th day of February, 1965 as the date on which the term of all the existing Zila Parishads in Rajasthan shall expire.

[Notification No. F. 4/LF/PS/DT/ 1/65/5357-660 dated 2-2-1965 pub. in Raj Gaz., Part. IV-C, Ext. Ord., dated 2-2-1965.]

In exercise of the powers conferred by sub-section (1) of section 14 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby appoints 8th day of February, 1965 as the date from which the term of all the newly constituted Panchayat Samitis in Rajasthan shall be computed.

[Notification No. F. 4/LF/D/1/65/5661-6946 dated 2-2-1965 Pub. in Raj. Gaz., Part IV-C, Ext. Ord., dated 2-2-1965.]

In exercise of the powers conferred by sub-section (1) of section 46 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby appoints 26th day of February, 1965 as the date from which the term of all the newly constituted Zila Parishads in Rajasthan shall be computed.

[Notification No. F. 4/LF/PS/AA/2/65/24187 dated 23-9-1965, Pub. in Raj. Gaz., Part IV-C, Ext. Ord., dated 24-9-1965.]

In exercise of the powers conferred by sub-section (1) of section 84 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act 37 of 1959), the State Government hereby



delegates the powers exercisable by it under section 66 and 66-A of the said Act in respect of Panchayat Samitis, to the Collectors to the District having jurisdiction over such Panchayat Samitis, in matter relating of the proper and timely formulation and execution of the Agriculture Production Programmes by the Panchayat Samitis.

[Notification F. No. 4/LF/PD/2/67/9525, dated 31-8-1967, Pub. in Raj. Gaz., Part IV-C, Ext. Ord., dated 1-9-1967, page 500.]

In exercise of the powers conferred by the first proviso to sub-section (1) of section 14 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasehan Act 37 of 1959) the State Government hereby extends the term of office of all the Panchayat Samitis in the State of Rajasthan for a period of one year from 8-2-1968 to 7-2-1969.

[Notification No. F. 4/LF/PD/2/67/9526, dated 31-8-1967, Pub. in Raj. Gaz., Part IV-C, Ext. Ord., dated 1-9-67, Page 500.]

In exercise of the powers conferred by the first proviso to sub-section (1) of section 46 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby extends the term of office of all Zila Parishads in the State of Rajasthan for a period of one year from 26-2 1668 to 25-2 1969.

[Notification F. No. 4/L/PS/AR/13/67/12864, dated 30-11-1967, Pub. in Raj. Gaz., Part IV-C, Ext. Ord., dated 30-11-67, Page 725.]

In pursuance of sub-rule (2) of Rule 22 C of the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, the State Government hereby declares, for the purpose of the said rule, the post of Group Panchayat Secretary as equivalent to the post of Village Level Worker in the Rajasthan Panchayat Samitis and Zila Parishads Service.